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PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 14 DECEMBER 2005

APPL NO: 1) UTT/1710/05/FUL & 2) UTT/1711/05/LB
PARISH: UGLEY
DEVELOPMENT: 1) One half storey rear extension, new vehicular access and internal and 2) Internal refurbishment
APPLICANT: M Mills
LOCATION: Chestnut Cottage, Dellows Lane, Ugley Green
D.C. CTTE: 23 November 2005 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: **Approval**
Case Officer: *Consultant North 2 tel: 01799 510469/510478*
Expiry Date: 14/12/2005

1) UTT/1710/05/FUL & 2) UTT/1711/05/LB - UGLEY

(Referred by Cllr Sell)

- 1) One half storey rear extension, new vehicular access and internal refurbishment.
- 2) Internal refurbishment

Location: Chestnut Cottage, Dellows Lane, Ugley Green. GR/TL 524-270.

Applicant: M Mills.

Agent: Morris & Partners

Case Officer: *Consultant North 2 Tel: 01799 510469/510478*

Expiry Date 14/12/2005

ODPM classification: OTHER

NOTATION: Beyond settlement limits; listed building;

DESCRIPTION OF SITE: Application site comprises a detached thatched roof dwelling and its curtilage. It is located beyond settlement limits but it does however form part of a small hamlet of dwellings where landscaping and a sense of space largely dominate the street scene. The site is on broadly level ground with adjoining properties.

DESCRIPTION OF PROPOSAL: Application seeks planning permission and listed building consent for the erection of a part single and part two-storey rear extension and a detached 3-bay car port. The rear extension would have a footprint a maximum of 7.8m in depth and 6.5m in width. It would comprise a part two storey and part single storey element that would link to the two-storey element to the existing dwelling. It would be 6.5m high, approximately 0.7m below the ridge of the existing dwelling. The detached carport would have a footprint 7.8m in width and 5m in depth. This would be 5.2m high.

RELEVANT HISTORY: None, however there are presently investigations into a possible breach of planning control with regard to other work taking place on buildings close to this dwelling

CONSULTATIONS: SERCO: No objection.

English Nature: No comment.

Landscape Officer: To be reported.

Specialist Advice on Historic Buildings and Conservation: Chestnut Cottage is a timber framed structure under a thatched roof of an in line plan form. The dwelling is of C18 origins and listed Grade II.

The proposal subject of this application is to extend it forming a new kitchen/living room and additional bedroom. A new detached cart lodge is also part of this application.

The proposed extension would be located at the rear of the site and to the side of the principle elevation. It would be subservient in terms of its size and in keeping with the vernacular character of the dwelling with regards to its form and detailing. The suggested elevational treatment would result in a traditional addition which never the less would be visually articulated from the listed building thus not devaluing its special architectural and historical interest. I would suggest approval of this part of the application subject to the following conditions.

1. No elements of the historical timber frame to be cut or removed without inspection and consent.

2. New roofs to be hand made plain clay tiles to LA approval. The indicated pantiles would in my view form a far to prominent roof.
3. All external joinery to be painted timber.
4. All render to be smooth to match existing.

Although I have no design objections to the proposed cartlodge, I consider that this site contains sufficient level of outbuildings to facilitate the necessary garaging. Any further structures would in my view detract from the very rural and open setting of this small thatched cottage.

It is worth noting that some unauthorized work of extensions to the existing outbuilding has commenced and is the subject of an enforcement enquiry. Also the note on the block plan indicated conversion to residential one of the larger outbuildings. This proposal clearly cannot form part of the application as no details have been provided.

ECC Highways & Transportation: Under the terms of the current de minimus agreement, this application is one where the highway aspects are left for determination by your authority.

PARISH COUNCIL COMMENTS: To be reported.

REPRESENTATIONS: These applications have been advertised and three representations have been received. Period expired 9 November 2005.

1. It appears that the intention is to develop the site as a whole, creating two separate dwellings. We understand there is a second planning application aimed at converting the barn to residential use. As this forms part of an overall plan it seems wrong to consider the cottage/carport plan in isolation.

The proposed extension to the east of the current cottage is out of keeping with the lines of the Grade II listed building. Having a new unit 'separate' from the old building and connected by a corridor looks totally out of place.

The new unit appears to be wider than the existing cottage, which is at odds with the natural lines of the old building.

Any extension should have a thatched roof and be joined directly to the original cottage to preserve the architectural integrity of the listed building.

The application requests permission to cut trees. This has already happened, without any permission.

A car port seems unnecessary when the barn could be used to park/garage cars.

Extensive building has already taken place, adding wings to the outbuildings at either end without planning consent.

We have no objection to internal refurbishment to provided it is in keeping with the Grade II building. The apparent attempt to turn the site into two properties should also be refused.

2. Currently, when standing on Ugley Green, you can see a great example of a small traditional country cottage and I believe the addition of a modern site extension would greatly change this. My understanding was that any development was restricted to a certain percentage of existing building and yet to me it seems that the proposed extension would

increase the cottage by a good 50% even more concerned about the proposed new garage/carport. There are currently several outbuildings which could be converted for use as a garage, and I feel this proposed addition would swamp the plot with outbuildings, and dwarf the house. My understanding is that the occupants are proposing to convert the barn nearest the road to residential use and make a totally separate dwelling. If this is indeed the case then I am very strongly opposed to such a development on what is a narrow single file lane, which some larger vehicles find difficult to manoeuvre along. Occupants should have been made to submit one planning application to cover the whole proposed development. Considerable development underway with no planning permission having been granted. An old barn/stables has had both ends taken down and rebuilt and new white PVC windows have been inserted which are totally out of keeping with such an old dark wood building and lorries delivering supplies have already caused problems in the narrow lane.

3. Local Plan states Dellows Lane is in countryside outside main urban area and not in a selected key rural settlement and that policy S7 applies. Proposed development does not protect or enhance the particular character of the part of the countryside within which it is set and there are no special reasons why the development in the form proposed needs to be there. Policy H8 in relation to home extensions applies to this proposal. The scale, design and external materials proposed do not respect those of the original building, there would be substantial overlooking and overshadowing of nearby properties if permission was given and the development would have an overbearing effect on neighbours. Easterly (out)building is currently being extended at both the northerly and southerly ends and the westerly building referred to as "outbuilding" becomes "existing outbuilding refurbished to residential". There is no mention of any of this development within the said applications.

Approving the application would necessitate an increase in vehicle traffic on Dellows Lane which is a narrow winding single track country lane.

PLANNING CONSIDERATIONS: The main issues are

- 1) **countryside protection (ERSP Policies CS2 C5, ULP Policy S7);**
- 2) **design/impact on listed building (ERSP Policies HC3, BE1, ULP Policies H8, GEN 2, ENV2);**
- 3) **neighbours' amenity (ADP Policies H8 and GEN2);**
- 4) **other material considerations.**

1) With regard to countryside protection, in determining this application the main consideration is the bulk of the proposed extension and resultant dwelling, with particular regard to whether or not that would protect or enhance the particular character of the part of the countryside in which the dwelling is sited.

Policy S7 of the adopted review plan contains a clear presumption against development within the countryside, except for development that needs to take place there, or is appropriate to a rural area. It is generally accepted that appropriate development includes limited extensions to dwellings; however it is for each case to be considered on its individual merits with regard to protecting the particular character of the local countryside.

In this case the extension to the dwelling would be of a moderate overall scale and would not result in any sense of excessive visual intrusion of built form within the countryside. The bulk of the proposed extension to the main dwelling, in combination with the proposed carport, would be such that there would be no harm to the wider character and appearance of the countryside. Although both the extension and the garage would be substantial features, this is a large curtilage and therefore they would not result in a sense of excessive built form at this site; this conclusion is reached having had particular regard to the fact that although this site is beyond settlement limits it nonetheless forms part of an established hamlet of dwellings.

2. In terms of design and impact on the listed building, the dwelling is a timber framed 1 1/2 storey house with a thatched roof. The building appears to have been little altered or extended in the recent past. It is considered that the overall size and scale, and detailed design, of the proposed extension to the dwelling would result in a wholly acceptable feature that would not harm the appearance or setting of this building. The design of the extensions, and the clear articulation by way of the design and the single storey link, means that this proposed two-storey extension to the dwelling would be clearly visually subordinate to the original dwelling and therefore it would respect the character and appearance of that existing dwelling, as required by policy H8.

The garage would be located separate to the main dwelling and not therefore significantly affect its setting. In all other regards it is well designed and would have materials appropriate to the curtilage of this attractive building. The only detail that is considered to be unacceptable is the use of the large pantiles and roman tiles for the roof to the extension and carport respectively. This matter can be dealt with by way of planning condition to require the use of plain tiles only.

3. This extension and the garage would be set well away from the boundaries with adjoining properties and not cause any significant loss of amenity to the adjoining occupiers. On these spacious plots the windows in the east elevation of the extension would not cause significant overlooking of the neighbour to that side.

4. The proposed extension to the dwelling would lead to the loss of a coniferous type tree that is approximately 10m high. However as this is a non-indigenous species, it is considered that the loss of this tree would have little impact on visual amenity, particularly given other landscaping in this locality.

CONCLUSION: The proposed extension to the dwelling, and the garage, would not cause serious harm to the character and appearance of the countryside, this revised proposal ensures there would be no serious impact on the appearance and setting of the main listed dwelling nor would it harm neighbours amenities.

RECOMMENDATIONS:

UTT/1710/05/FUL - APPROVAL SUBJECT TO 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. Notwithstanding the details on the plans hereby approved, the new roofs to the extension and outbuilding shall be surfaced with handmade plain clay tiles and thereafter shall be permanently retained as such.
REASON To preserve the historic integrity and character of this listed building.
5. This permission excludes the carport, store extensions and conversion of outbuilding shown on drawing no.s VC.122.2 and VC.122.7 (carport only) date stamped as received 19 October 2005.
REASON: For the avoidance of doubt. The carport has been withdrawn from the application as a detrimental addition which would adversely affect the setting of the listed building, and the alterations to the existing outbuildings require the submission of detailed applications to be considered on their own merits.

UTT/1711/05/LB – LISTED BUILDING CONSENT SUBJECT TO CONDITIONS

1. C.2.2. Time limit for commencement of development - listed buildings
2. C.5.1. Samples of materials to be submitted and agreed.
3. No elements of the historical timber frame shall be cut or removed without inspection and prior written approval from the local planning authority.
4. Notwithstanding the details on the plans hereby approved, the new roofs to the extension and outbuilding shall be surfaced with handmade plain clay tiles and thereafter shall be permanently retained as such.
5. All external joinery in the garage and extension hereby approved shall be constructed from painted timber only and thereafter permanently retained as such.
6. All external rendered surfaces to the extension hereby approved shall be smooth finished only and thereafter permanently retained as such.
7. All weatherboarding shall be featheredge and painted.
REASON 3-7: To preserve the historic integrity and character of this listed building.
8. This permission excludes the carport, store extensions and conversion of outbuilding shown on drawing no.s VC.122.2 and VC.122.7 (carport only) date stamped as received 19 October 2005.
REASON: For the avoidance of doubt. The carport has been withdrawn from the application as a detrimental addition which would adversely affect the setting of the listed building, and the alterations to the existing outbuildings require the submission of detailed applications to be considered on their own merits.

Background papers: see application file.

UTT/1608/05/OP - LITTLE CANFIELD

Outline application for residential development with all matters reserved

Location: DJR Cars LLP Dunmow Road. GR/TL 573-211.

Applicant: DJR Cars Ltd.

Agent: The John Bishop Partnership

Case Officer: *Mr M Ranner 01799 510556*

13 weeks expiry date: 06/01/2006

ODPM classification: MAJOR

NOTATION: Outside of Development Limits.

DESCRIPTION OF SITE: The site is located on the southern side of the B1256 (the old A120) to the east of Takeley. It accommodates a former service station and comprises a reception building with canopy, a three bay workshop building and area of land to the rear. Residential properties abut the eastern and western boundaries of the site and the Fritch Way is routed along the southern (rear) boundary.

DESCRIPTION OF PROPOSAL: The proposal involves the removal of all buildings on site and redeveloping it for residential purposes. All matters are reserved however the submission includes an indicative only site layout plan, which depicts 11 dwellings with associated garden areas, service roads, and parking.

APPLICANT'S CASE: A detailed supporting statement accompanies the application. Paragraph 3.5 states the following:

“There would be an accompanying benefit to the amenities of the area, not only in visual terms but also from the noise aspects. Local Planning policies require that all development respects residential amenities. The site has a history of established commercial use throughout the depth of the site and over a 24 hour period, the site having been used or breakdown assistance and there are no hours of operation limits on the authorised uses of the site. The use of the site for residential development would be an improvement for the neighbours in relation to noise and activity.

Policy BE1 of the ESRSP also encourages the use of brownfield site and intensity for established residential communities. In view of the fact that the site will abut a large residential area of Priors Green, it will bring this into this category”

RELEVANT HISTORY: The site has an extensive planning history. The most relevant and more recent planning applications are listed as follows:

UTT/0193/95/FUL Construction of car and jet wash Approved with Conditions 09/06/1995.

UTT/0627/98/FUL Change of use to car sales. Approved with Conditions 09/10/1998.

UTT/0005/02/FUL Continuation of use of premises for car sales with variation of conditions C90B, C and D. Approved with Conditions 24/04/2003.

UTT/0871/03/OP Demolition of existing garage buildings and erection of six dwellings. Withdrawn 09/09/2003.

UTT/0527/05/FUL Retention of the security gates and fence to the front boundary. Refused 26/05/2005.

UTT/0530/05/FUL Variation of conditions C90A, C90B, C90C and C90F of planning permission UTT/0005/02/FUL that restricted the number of vehicles and the areas where they could be parked within the site. Refused 25/05/2005.

There are current appeals pertaining to the site in respect of the refusal notices UTT/0527/05/FUL and UTT/0530/05/FUL. An appeal has also been lodged in respect of Enforcement Notices. These concern various breaches of the planning conditions attached to planning permission UTT/0005/02/FUL, the erection of a chain link fence fronting the highway and the use of the land for the storage of vehicles for passengers using Stansted Airport and providing a transfer service without the benefit of planning permission. These appeals are all to be heard at a forthcoming Public Inquiry set for February of next year. The site is subject to an injunction preventing the use for airport related parking.

CONSULTATIONS: Environmental Services: Recommend that condition C.8.23 be imposed. This states:

No development shall take place until the ground conditions on the site have been subject to a detailed investigation to establish their suitability for the proposed end use. A historical investigation, sampling and analysis of current soils, site assessment and action plan to remedy any contamination must be agreed by the local planning authority in writing and carried out prior to the commencement of any other works in relation to any development on the site. The local planning authority is to be consulted at all key stages in this investigation process.

Essex County Council Highways and Transportation Unit: Have responded to consultation but at the time of writing have made no detailed comments.

Essex County Council Archaeology: Have indicated that the site lies in a highly sensitive area and so recommend the imposition of the following condition:

“The applicant should be required to conduct a field evaluation to establish the nature and complexity of the surviving archaeological deposits. This should be undertaken prior to a planning decision being made. This evaluation would enable due consideration to be given to the archaeological implications and would lead to proposals for preservation in situ and/or the need for further investigation.”

The Environment Agency: Object to the proposal unless a condition is attached to any planning permission requiring a desk top study has been carried to ascertain whether contaminants are present and if so requiring subsequent remediation measures to be undertaken.

PARISH COUNCIL COMMENTS: No objections in principle to the application. The following points are raised:

1. Have the petrol tank reservoirs been removed?
2. It will be necessary to ensure that there is sufficient drainage (both foul water and soakaways) to cater for the number of houses eventually envisaged.
3. The privacy of New Cambridge House should be protected by not allowing any windows to overlook the property, or at the very least to ensure that obscure glass is used if that is not possible.
4. There should be no access to the Flich Way on the southern boundary for security reasons.

REPRESENTATIONS: None. Notification period expired 07/11/2005.

PLANNING CONSIDERATIONS: The main issues are

- 1) whether the proposed development is appropriate to the rural area and the likely effect that it would have on the character/visual amenities of the locality (ERSP Policy C5 & ULP Policy S7);
- 2) whether the site can satisfactorily accommodate an appropriate form of development that will cause no undue harm to neighbouring residential amenity (ULP Policies GEN2 & GEN4) and
- 3) other material planning considerations.

1) The application site is situated outside of development limits within the countryside where policies C5 of the ERSP and S7 of the ULP apply. Policy S7 states that planning permission will only be given for development that protects or enhances the particular character of the part of the countryside within which it is set. Furthermore the countryside will be protected for its own sake and new building will be strictly controlled to that required to support agriculture, forestry or other rural uses. Residential development is not therefore considered appropriate outside of development limits and in this case officers consider that the residential development of the site would not constitute the 'sensitive infilling of a small gap' as advocated by paragraph 6.14 of the Housing Chapter of the ULP due to the considerable width of the site (approx 64m). In these respects the proposal is contrary to adopted rural restraint policy and therefore is considered inappropriate to the rural area. Consequently based purely on adopted policy the proposal should be refused.

It is necessary to consider if there are material considerations which that justify the grant of permission for the residential development of this site contrary to policy. The existing lawful use for commercial car sales and servicing is of material importance, as the removal of the commercial use from the site and its replacement with a sensitively designed residential scheme could potentially, benefit the visual amenities of the area, improve the amenities of neighbouring residential properties and resolve the future of the site. A car sales office, a large canopy structure (associated with the previous use of the site as a petrol filling station), three bay service building and associated hard surfaced areas occupy the front of the site facing the road. These structures are prominent within the street scene, which is rural in character due to the low density and loose knit form of existing residential development in the locality. The site does not benefit from any internal soft landscaping and due to the existing structures and hard surfaced areas located within the site it's commercial appearance appears somewhat out of keeping and incongruous within the context of its surroundings. At present the site is vacant, and if it remains vacant the state of the buildings and the site in general are likely to deteriorate further. The lawful use of the site remains and it should be recognised that the use of the site for car sales and servicing could be resumed in accordance with the conditional approvals pertaining to the site. Cars for sale and awaiting servicing be parked at the front of the site in relatively close proximity to neighbouring dwellings. However passing trade has declined significantly since the opening of the new A120 and the viability of the car sales business is likely to have suffered as a consequence. Other more profitable uses, such as airport parking, have therefore been commenced from the site, which the Council has considered unacceptable and proceeded with enforcement proceedings. Despite this however potential remains for future occupiers to again look to alternative unsuitable uses of the site. Consequently on balance the material considerations outlined above may justify the granting of permission contrary to policy.

2) At 0.4 hectares in size, the site is capable of accommodating at least a dozen dwellings. However taking into account the location of the site, which lies outside of development limits, the limited amount of existing built form on the site, the rural character of the locality and the loose knit form of existing development in the immediate locality of the site a low density development of only three dwellings is considered acceptable in this case. This limited form of development would be in keeping with the finely balanced justification for the development. These dwellings should occupy the front part of the site facing the highway in order for the garden areas to occupy the rear section of the site, which has traditionally been free of development and at present is free of structures or buildings. Planning Policy Guidance Note 3 (PPG3) entitled 'Housing' is relevant in this case, and this advocates residential densities of 30 to 50 dwellings per hectare or higher in localities with good public transport links. This is in order to ensure that development makes an efficient use of land. In this respect three dwellings will represent a density of only 7.5 dwellings per hectare, however for the aforementioned reasons officers consider this to be appropriate in this particular case. In any event, PPG3 does state that 'new housing development of whatever scale should not be viewed in isolation. Considerations of design and layout must

be informed by the wider context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality.' The Priors Green site lies across the road to the north and a higher density of development has been granted in this location. This however has been specifically designated for residential development through the Local Plan and forms a defined area. It does not set a precedent for residential development of a similar density within countryside outside of the designated Priors Green area.

With regard to residential amenity, all matters are reserved for subsequent consideration. There are no reasons however, why residential development cannot be accommodated on the site and designed in such a way as to ensure that there are no significant affects on neighbouring residential amenity.

3) With regard to highway safety, the Highway Authority has to date made no detailed comments. Means of access is however a reserved matter and so is not for detailed consideration at this stage. Even so, taking into account the two existing vehicular accesses from the site onto the B1256 and the frequent vehicular movements associated with the commercial use of the site, limited residential use is preferable in highway safety terms as it is likely to generate lower numbers of vehicles. Similarly, with this in mind, the limited residential development of the site is considered by officers to be a more sustainable use.

It is apparent from consultation responses that due to the commercial uses that have taken place at the site, there are likely to be contaminants present. In accordance with specialist advice, an appropriately worded condition is recommended at the end of this report to ensure that investigations are carried out and remedial action taken if necessary. A letter has been received from the applicant's agent who has stated that such a condition would be acceptable. The petrol storage tanks are still present on site and the applicant's agent has stated that a certificate has been obtained to fill these with hard foam. This matter can however be addressed by the recommended condition concerning land contamination.

Essex County Council advise that a condition be imposed requiring an archaeological field evaluation be carried out by the applicant prior to a planning decision being made. Officers do not consider this to be feasible taking into account the levels of work required due to the amounts of hard surfacing on site and conclude that an appropriately worded condition requiring a scheme of investigation be carried out prior to the commencement of development is adequate in this case.

CONCLUSIONS: The proposal is contrary to the Development Plan, but having considered the material considerations outlined above, it is concluded that on balance these carry sufficient weight to override the policy presumption against such development within the countryside and justify a departure in this case. Given that the application is, however, contrary to countryside policies, Members may wish to refer it to the Secretary of State for further consideration.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.1.1. Submission of reserved matters: 1.
2. C.1.2. Submission of reserved matters: 2.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development (3 years).
5. C.4.1. Scheme of landscaping to be submitted and agreed.
6. C.4.2. Implementation of landscaping.
7. C.8.23. Environmental Standards.
8. C.16.2. Full archaeological excavation and evaluation.

9. Before the development hereby permitted is commenced, details shall be submitted to and approved in writing by the Local Planning Authority of the measures to be taken in the design, construction decommissioning and demolition of the development to; re-use existing materials within the new development; recycle waste materials for use on site and off; minimise the pollution potential of unavoidable waste; treat and dispose of the remaining waste in an environmentally acceptable manner; and to utilise secondary aggregates and construction and other materials with a recycled content. The measures shall be implemented in accordance with the approved details.
REASON: In the interests of sustainability.
10. No more than three dwellings shall be accommodated within the site.
REASON: In the interests of the rural character of the area, and having regard to the existing form and density of the development in the locality.

Background papers: see application file.

1) UTT/1305/05/FUL & 2) UTT/1307/05/FUL - NEWPORT

1) & 2) Extension and alterations of existing workshops and The Maltings, with provision of 14 residential apartments.

Location: The Maltings, Station Road. GR/TL 521-335.

Applicant: City & Country Residential Ltd.

Agent: Cowper Griffith Associates

Case Officer: Mr T Morton 01799 510654

13 week expiry date: 17/01/2006

ODPM classification: MAJOR

NOTATION: Within development limits/within Conservation Area.

DESCRIPTION OF SITE: The site is a complex of buildings with 2 ranges, (here called the north range and the east range), the north range is of three-storey height, the east range is of two-storey height and a separate small single-storey building stands in the north west corner of the site. The buildings are constructed of brick with slate roofing. Originally a Maltings, the buildings are now subdivided into a number of spaces as business units. These are partly occupied by a range of small local businesses. A communal car parking area stands in the centre of the site. The site is set to the rear of a house, 'Buriton House, which offers Bed & Breakfast accommodation and is flanked by the two vehicle accesses to The Maltings.

DESCRIPTION OF PROPOSAL: The two applications are almost identical in content, proposing demolition of the single-storey building, extension of the existing buildings with the east range extended on its east side to provide 8 workshop units and the north range extended at its west end, and with a new central south wing to provide 14 residential flats and 16 business units.

The application 1305/05 includes an office unit in the ground floor of the new south wing to the north range, the application 1307/05 omits this unit and has an open drive through arch instead.

APPLICANT'S CASE: The applicant has submitted a 13 page planning statement, a three-page design statement, and a flood risk assessment in support of the application, which are available for inspection at the Council Offices, London Road, Saffron Walden or via the Council website www.uttlesford.gov.uk.

RELEVANT HISTORY: None.

CONSULTATIONS: Essex County Council Historic Buildings: The Essex Historic Environment Record shows that the proposed conversion and new build lies on the site of a sensitive industrial building. The conversion is proposed on the site of an industrial complex comprising a Maltings which is unusual as it has the circular cowls dating to the middle of the nineteenth century (HER 15054). It is important to record the standing buildings prior to it being converted if given permission.

Recommendation: Building Recording condition.

Drainage Engineer: The flood risk assessment is acceptable. Development is proposed within the main river byelaw distance and the comments of the Environment Agency must be sought.

Environment Agency: No response received (due 8 November 2005).

PARISH COUNCIL COMMENTS: To be reported (due 17 November 2005).

REPRESENTATIONS: These applications have been advertised and 9 representations have been received which are applicable to both applications. Period expired 17 November 2005.

The following comments were made:

The development will involve a loss of privacy to adjoining residential property in Pond Cross. Proposed windows directly overlook both windows and gardens in adjacent property. The increase in vehicles using the site will conflict with schoolchildren who arrive in Newport by train, and walk along Station Road.

Grant of permission would open the way for the whole building to be converted to residential units.

A further loss of employment in Newport would be a huge shame; there is little enough provision of such space.

The mixed-use nature will cause traffic and safety problems within the development; the site is too small to accommodate both uses.

The scale and height of the extension is out of keeping with the riverside setting and Conservation Area – 3 storeys is entirely inappropriate.

Development in the floodplain will increase risk of flooding.

Existing restrictions on hours of use for commercial use would be breached with residential use.

Any problems with letting the current units are a result of the poor management and condition of the premises.

Buriton House will effectively become a roundabout to cater for the huge increase in traffic. The area is currently very quiet at weekends and this would change with residential occupation.

The design of the proposed extensions is not in keeping with the style of the existing buildings.

Extensions to the east range will overhang the property belonging to Station House. The development would have a very detrimental impact upon Station House.

Concern is raised about storage of hazardous materials and refuse on the site.

Insufficient parking provision has been made. Cars using bays 44 – 46 would have to pass over station yard, which is private property. There is no provision to park lorries and articulated vehicles that use the site.

The proposals will affect a number of local businesses employing local people, and result in the closure of some altogether, which will have further effects on other local businesses like Dorringtons. Our business has five local employees, and we could not find suitable replacement local premises and therefore would have to move out of the area or cease to trade. The site is an established area for small local businesses and attracts local custom, helping the economy in the village. We should be trying to encourage this and not drive local businesses away. A mixed development will not work on this small site.

COMMENTS ON REPRESENTATIONS: Noted. These points are discussed further in the following section.

PLANNING CONSIDERATIONS: The main issues are

- 1) principle of the use / change of use from employment to residential use (PPS7, ERSP Policy BIW4 & ULP Policy E2.);
- 2) design of the development/impact on Conservation Area (ERSP Policies HC2 & ULP Policies GEN2, ENV1 & GEN4;
- 3) traffic and parking (ERSP Policies T1, T3, T12 & ULP Policy GEN8);
- 4) amenity impact upon surrounding properties (ERSP Policy BE1 & ULP Policy GEN2) and
- 5) other material planning considerations.

1) County Structure Plan Policy seeks to safeguard existing employment sites from change of use to other land-uses, and exceptions will only be permitted in exceptional circumstances where a site is poorly located. Where such cases arise there is a requirement to replace the employment space lost by a new allocation in adopted local plans. Local Plan Policy E2 defines key employment sites, but this site does not fall into that definition. The Policy accepts the development of employment land for other uses outside of the key employment areas if the employment use has been abandoned or the present use harms the character or amenities of the surrounding area. PPS7 seeks sustainable patterns of development, and seeks to focus new development in local service centres and encourages strong diverse economic activity.

There is no other comparable site for small businesses to operate from within Newport, and the site enjoys reasonably direct access to the main road network, and the railway station is close by. The business uses are viable and offer local employment within walking distance of a large residential population. The site has not been abandoned, and the operation of the businesses gives rise to few negative impacts upon the character and amenity of the surrounding area. There is no justification for the loss of any existing employment space here.

Conversely, the site layout as proposed would not offer an acceptable residential environment, and this is discussed further below. Residential use is not considered appropriate for this site.

2) The design of proposal for the east range adds lean-to type extensions to their east (rear) side where they are not prominently visible, except from Station House. These additions are acceptable in design terms. The proposed extension to the north range are in scale with the height of the existing building, but the detail of the elevations is not closely related, with a range of windows projecting balconies to provide light to the proposed flats. These are not well related to the strong simple character of the existing range, being over elaborate and fussy. It is considered that this change in the character of the building would have a slight negative impact upon the character and appearance of the Conservation Area. The design difference between the two schemes, with a ground floor section left as an open arch in one version, raises no significant issues of difference between the two schemes.

3) The applicant has furnished a detailed calculation to demonstrate compliance with the numerical requirement for parking spaces with the two proposals. Parking standards are of course advisory, and not an inflexible requirement, but the suggested standard in the schedule of the Local Plan is for 2 spaces per dwelling and one space per 35sq.m. of Class B1 business space. This should be calculated on a per unit basis and not merely aggregated across the development as a whole. The County Council standard suggests that in residential flat development the parking requirement can be reduced to 1.5 spaces per dwelling.

This means that between 21 and 28 spaces are required for the residential use and 38 spaces for the employment space, a total of 59 to 66 spaces. The applicant has calculated the requirement as 21 plus 26 spaces. 1305 provides 43 spaces, and 1307 provides 44 spaces.

The proposed layout includes spaces that are triple banked, making them less convenient to use. The layout makes no provision for access by large commercial vehicles, there are no loading or unloading areas, and the congested nature of the car park would mean that large articulated vehicles could not negotiate the parking area. There is no segregation between the residential and employment parking, and this would cause considerable nuisance to the residential units. Movement of commercial traffic around the site poses a safety hazard to

the residential occupiers when entering or leaving the site on foot; there are no segregated footways.

The parking provision can only be regarded as inadequate, congested and hazardous. The observations of the County Council Highways Authority are awaited at the time of drafting this report, but in the opinion of the officers of this Council, the increased volume of traffic associated with this intensive mixed use development is not acceptable here, in terms of the nature of Station Road, which is normally reduced in width by kerbside parking, and the ability of that road to safely accommodate the additional traffic.

4) The proposed flats are a mix of one-bedroom and two-bedroom with 8 two-bedroom flats. There must therefore be a potential that children would be living here. The flats are quite intimately associated with the commercial part of the site, and in particular the car parking layout is not segregated. There are no footways through the car park into the street. This poses a safety hazard for any residential occupiers and especially for children. The noise and disturbance from commercial parking and vehicle movements would be a source of direct and continual disturbance to residential occupiers.

The 14 flats have a communal area of outdoor open space of 188sq.m, whereas the Essex Design Guide suggests a minimum of 25sq.m per flat (350sq.m.), and this provision can only be viewed as grossly inadequate. Use of this space would be in front of windows of the ground floor flats, and that would be a source of disturbance to the occupiers of those units.

Objections have been raised by nearby occupiers about the impact of the development upon their amenity. However, the distance to the rear of the houses in High Street is about 45 to 50m and therefore material impact upon the amenity of those properties is likely to be slight. Gardens may become more overlooked, but there is no planning protection of the privacy of outdoor garden space except in relation to the area. Mostly intimately associated with the dwelling. Overlooking of habitable room windows is a material factor, but at that distance the impact will not be material. The proximity of houses in Pond Cross is much closer, and windows of the new flats at ground first and second floor level would overlook them. It is considered that this would be a negative and harmful material impact upon those houses, and therefore not acceptable.

5) No other issues are thought to arise.

CONCLUSIONS: This is a very intensive proposed use of the site, introducing conflicting uses at very close quarters, and the design makes inadequate provision for both the residential use and the business use. This approach to the development of the site is unacceptable in principle, where the Council considered it should be retained for business uses only. The detail of both versions of these proposals is also unacceptable.

RECOMMENDATIONS:

- 1) **UTT/1305/05/FUL - REFUSAL REASONS**
- 2) **UTT/1307/05/FUL - REFUSAL REASONS**

1. The proposal is contrary to the aims of Planning Policy Statement 7, Essex & Southend-on-Sea Replacement Structure Plan Policy BIW 4 and Uttlesford Local Plan Policy E2 to retain employment space to meet local employment needs. Loss of this floorspace could not be replaced within Newport, and local businesses and employees would therefore have to seek alternative employment locations at greater distance, contributing to unsustainable travel patterns.
2. The design of the proposed residential accommodation offers an unacceptably poor standard of residential amenity to the prospective occupiers in terms of the lack of

adequate provision of private outdoor amenity space, conflict with the parking and traffic movements associated with the business element of the proposals, noise and disturbance from the operation of the business units within the site and unsafe pedestrian routes through and out of the site. The proposal is considered contrary to ERSP Policy BE1 and ULP Policies GEN2 & GEN4.

3. The proposed parking and vehicle circulation layout is considered to be inadequate in terms of the numbers of car parking spaces provided and their layout, the lack of provision for the movement, loading and unloading of commercial vehicles likely to call at the business units, and the conflict that would be likely to arise between residential occupiers and business occupiers within the site. No provision is made for use of the site by bicycle. The proposal is considered contrary to ERSP Policies T3 & T12 and ULP Policy GEN8.
4. The design of the proposed extensions is considered to be poorly related to the design of the existing buildings and would therefore detract from their character and appearance, thereby having a negative and harmful impact upon the character and appearance of the Conservation Area. The proposal is considered contrary to ERSP Policy HC2 & ULP Policy ENV1.
5. The proposed flats in close proximity to dwellings in Pond Cross could give rise to material overlooking of those properties, to the detriment of the residential amenities of those dwellings. The proposal is considered contrary to ULP Policy GEN2.

Background papers: see application file.

UTT/1515/05/DFO - LITTLE DUNMOW

Revision to UTT/0090/05/DFO to provide an additional 13 units (reserved matters application for outline planning permission UTT/0302/96/OP+UTT/0023/03/OP)

Location: Part Phase 5 Oakwood Park. GR/TL 662-205.

Applicant: Westbury Homes (Holdings).

Agent: Boyer Planning

Case Officer: Mr R Aston 01799 510464

13 week expiry date: 28/12/2005

ODPM classification: MAJOR

NOTATION: ULP: Outside Development Limits/Part of Oakwood Park development (Oakwood Park Local Policy 1).

DESCRIPTION OF SITE: The subject of this application forms Phase 5 of the overall development of the site for 810 dwellings, in accordance with the latest Masterplan for the site, revised in June 2004. The Phase 5 application site is a 2.34-hectare site located between Phase 4 and Phase 3 along the western edge of the developments. A section of the principal estate road of the site runs north to south on the eastern edge of the phase and into adjoining phases.

DESCRIPTION OF PROPOSAL: Planning permission has been previously granted on this phase for the erection of 97 2-5 bedroom dwellings with garages and associated ground works, pursuant to planning permission ref: UTT/0090/05/DFO. This application seeks to provide an additional 13 dwellings to take the overall number to 110 on land to the west of the principal estate road.

APPLICANT'S CASE: Please see 'Architectural Design Statement', 'Design Notes' and letter dated 13 September 2005 copy attached at end of this report.

RELEVANT HISTORY: Outline application for reclamation of despoiled land and demolition of redundant structures approved 1996. Temporary storage of soil reclaimed from settlement lagoons, allowed on appeal 1999. Amendment to condition to allow 250 dwellings to be constructed prior to completion of A120 approved 2000. Erection of 80m dwellings and associated garaging approved 2000. Erection of 85 dwellings and associated roads approved 2000. Reserved matters for 69 dwellings approved 2000. Variation of Condition 12 of UTT/0302/96/OP to allow occupation of not more than 305 dwellings prior to opening of A120. Variation to allow construction of up to 350 dwellings, prior to opening of A120. Redevelopment up to 655 dwellings, being a net addition of 170. Approval of additional 160 dwellings, approved 2003. The outline permission renewed in 2003 had conditions covering the following items:

- Submission of details
- Time limit for submission of details
- The limit for commencement of development
- Submission of revised Masterplan
- Submission of details of reclamation works
- Submission + implementation of landscaping scheme
- Retention of trees
- Submission + implementation of conservation/management plan
- Provision of protective fencing of Felsted fen (site of nature conservation)
- Limit erection of 305 dwellings prior to new A120
- Control of hours of construction/delivery

- Dust suppression measures
- Provision of village centre at 650 dwellings
- No building within cordon sanitaire
- Measures to protect residents against noise of development
- Design + Layout to meet secured by Design requirements

CONSULTATIONS: Building Control: No comments, the development is controlled by NHBC.

ECC Highways: The proposed layout is based on the one given approval previously but the road layout shown on the plan submitted with the current application differs markedly from the one approved by the district council. It is also worth noting that the engineering drawings, also in this office for approval differ considerably from both the planning consent plan and the plan accompanying the current application. It would be helpful if the applicant could be asked to clarify which of the road layouts they are intending to utilise. Planning permission should not be granted for this application until the highway passing through the southern boundary into the David Wilson site adjacent is shown as a continuous facility between the two developments. Turning to the layout submitted and subject to the proviso detailed above, I have no objections to the proposal subject to the inclusion of the following comments. Relating to engineering and technical details (see letter dated 17 October 2005)

CABE (commission for Architecture + the Built Environment): We are consulted about more proposals than we have the resources to deal with and unfortunately we will not be able to comment on the revisions. Please note that literally this means 'no comment' and should not be interpreted as tacit endorsement of the proposal.

Environment Agency: No objection

English Nature: English Nature understands that this application is part of a larger scheme for which detailed species mitigation and wider nature conservation measures were proposed. UDC should be satisfied that any aspects of these proposals relevant to Phase 5 of the development are still pertinent and have been factored into the revised layout and work programme appropriately.

Essex Police: No objections to the proposed application. Secured by Design should be considered as a planning condition.

PARISH COUNCIL COMMENTS: Little Dunmow Parish Council: Strongly objects to the proposal as it is further overdevelopment of the area. Phase 5 is at the rear of the development and any extra traffic will exacerbate the problem of on street parking and poor traffic flow already evident. The lack of innovative design is depressing and inappropriate for this locality. In addition, Oakwood Park is in the parish of Little Dunmow and not Felsted as the plans state, not a planning concern but incorrect and misleading to those that do not know better.

Felsted Parish Council: No comments

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

GL Hearn (adjacent Developer):

Summary – I am not able to determine whether the enlarged Westbury scheme would comply with their contractual requirements for the provision of affordable housing (which if not provided on the Westbury site cannot be provided elsewhere on the development). For your information if Phase 5a were to be extended as proposed by Westbury to a total of 110 units it would have to be made up of 75 open market dwellings and 35 affordable dwellings. The submitted application material refers to 32 units, which I note would be the requirement if Phase 5a were limited to 97 dwellings. However, on the basis of the applications information I am unable to determine whether an affordable housing element is included in that part of the Phase 5 housing area excluded from the revised application proposal. I would be grateful if you could ensure that your consideration of the application when dealing

with affordable housing takes into account the totality of the Phase 5a requirement for affordable housing, rather than the smaller area that is subject to the current application.

COMMENTS ON REPRESENTATIONS: The addition of an extra 13 units would require a further 3 affordable units to be provided.

PLANNING CONSIDERATIONS: The main issue is whether the proposal's layout and design is appropriate in accordance with the current Masterplan for the site (June 2004), the Oakwood Park Design Guide and Oakwood Park Local Policy 1 and provides a high standard of site layout design, appropriate affordable housing and car parking provision (ULP GEN2, GEN8)

For the purposes of determining this current proposal, the principle of the development of this phase is in accordance with the approved Masterplan for the site; however the Masterplan does not contain specific design and layout guidance. Accordingly the proposal has to be determined in accordance the criteria of The Oakwood Park Design Guide and Oakwood Park Local Policy 1 of the ULP, which states that amongst other factors, *'Development will need to be implemented in accordance with the Master Plans and design guidance approved by the Council'*. In addition to this, the proposal has to be determined in accordance with Government Policy expressed in PPS1, PPG3, PPS7 and PPG17. The operative standards of guidance of the Essex Design Guide for Residential and Mixed Use Areas and the Oakwood Park Design Guide January 2003 are also relevant. The purpose of the OP Design Guide is to set the layout and design objectives against which detailed planning applications for the subsequent phases of development will be reviewed. Furthermore, the guide seeks to create a development which is sympathetic to its setting and the environmental characteristics of the area whilst developing an environmental which follows the established principles of good urban design. This is also a key theme of PPS1 which aims to promote good design to ensure attractive, usable, durable and adaptable places and guides that we should promote high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact and that good design should contribute positively to make better places for people.

The original proposal for the phase had been revised following negotiations with officers and the number of units had been reduced from 120 to 97 dwellings to achieve a better layout. This proposal now seeks a further 13 dwellings to increase the overall number to 110 dwellings on the site. Under the terms of the development's various Section 106 agreements, this leads to a further requirement of 3 affordable dwellings, taking the overall total to 35 affordable units.

The main differences between this and the previous application are outlined as follows:

On entering the phase, the previous areas of incidental open space on both sides of the highway have been replaced with a terrace of five dwellings, with no gardens and parking spaces located immediately to the rear. To the south of the site entrance, the incidental open space area that previously provided an attractive focal point for the phase which helped to increase a sense of variety and sense of place has been considerably reduced to allow for a row of four terrace 'Leicester' (house type) properties to be located opposite plots 26-31. The reduction in the central open space on entering the site and its replacement with a row of five terrace dwellings fronting the highway would give users a faceless and lacklustre aspect which would fail to create a sense of place for the phase. Whilst the previous scheme contributed positively to making this part of the phase a distinct area of incidental open space which would draw users into the phase and gave them choice of movement, an improved quality of the public realm, and an attractive and varied street scenes, the current proposal fails, and although some open space is retained, it is a token amount that fails to provide character and is dominated by built form. The significant reduction in open space

also conflicts with guidance given in PPG17 'Planning for Open Space', which guides that *'Local networks of high quality and well managed open space help create urban environments that are attractive, clean and safe and can play a major part in improving peoples sense of well being'* (PPG17 Page 2) and goes on to advise that *New open spaces should improve the quality of the public realm through good design'* (PPG17 page 20). Regrettably, the increase in the number of houses is at the expense of the quality of the public realm and the character and appearance of the street scene.

The second fundamental change that is proposed, relates to the part of the phase that borders the boundary to the west. This previously formed a formal boulevard arrangement which consisted of 11 pairs of semi detached dwellings and five detached dwellings set back 7.5m from the highway with large specimen trees located to the front of the dwellings. The intention of this part of the phase was to create buildings within a landscape context and to create a change in character on entering this part of the phase that was distinctly different to adjoining housing and the lower density boulevard housing on phase four to the north. This change would help to reinforce a sense of place and character and is an attempt to overcome a monotony and uniformity that is typical of many modern housing estates. The current proposal seeks to remove this and replace it with a total of 26 detached dwellings, 15 of which would face onto hard landscaped driveways, two of which serving a group of four dwellings and one a group of five. The revised layout of this area is incoherent and disjointed and does not reinforce the sense of place that the previous proposal created. It does little to provide a sense of character and is a disorderly arrangement of buildings that lacks continuity. Furthermore, the lack of depth between the dwellings and the highway results in a lack of space for adequate tree specimens to be planted, which serves to reinforce the opinion that this is in conflict with the objectives of the Oakwood Park Design Guide.

On the southern boundary of the phase, adjoining the David Wilson phase three development, the previous form which included a detached dwelling, a row of three 'Leicester' dwellings and a single storey 'Richmond' attached on the eastern side has been replaced by five detached 'Bicester' houses and the removal of the shared surface highway. On the opposite side, the previous row of three linked dwellings, all of different designs and elevational treatments have been replaced with two detached dwellings. Again this brings back a level of uniformity that fails to reinforce a sense of place and character that the previous proposal created. Other changes to the scheme, include the addition of a further 'Chafford' block to the rear of plots 64-69 which front the principal estate road, the introduction of tandem garaging adjacent the boundary with phase 3, the replacement of plot 35 with a detached 'Churchill' house type. Whilst the additional Chafford may have some impact on the outlook of adjoining properties, these changes are not considered to be sufficiently harmful enough to warrant refusal. However, collectively they emphasise the uninspiring and unimaginative design of this current proposal which is a far poorer standard of layout and design than that of the approved scheme.

With regard to highways issues, the supporting information states that because of the views of the highways authority, a road with a footpath either side is unavoidable. To this effect the whole of the road layout has been revised to include a standard highway with footpath either side which would be presumably constructed from black tarmac with standard drop kerbs as is typical on many modern housing states. The previous scheme showed a number of shared surface areas, particularly to the south of the phase and the area that formed a boulevard had the footpath set behind the large specimen trees. It is interesting to note that ECC Highways comments do not insist on this arrangement and the use of shared surface roads has been effectively used on the adjoining phase, which as Members recognised from the recent members tour, has undoubtedly improved the quality and character of that phase. From a design perspective, what is being proposed reflects an uninspiring and unimaginative approach to residential estate design that should be resisted, unless clear and unequivocal evidence is provided by ECC Highways that this cannot be achieved.

Turning to the proposed car parking provision, the previous proposal detailed a parking provision for each property, including the affordable dwellings of 2 dedicated car parking spaces, albeit with some being in tandem form. These spaces were generally to the rear of the affordable units and contained in rear parking courts and under parking pergolas, which help break up the visual impact a large number of cars parked in one area often creates. In addition the previous scheme gave the larger dwellings to the west of the phase along the sites rural edge 2 car spaces and a garage to the side. Although no details of the car parking provision have been submitted, it is clear from the plans that the car parking for units 77-108 is 1:1. In accordance with previous advice given concerning car parking, in particular the site of the proposed neighbourhood centre, this is considered to be inappropriate in this rural location, which is not well served by public transport. This problem is clearly evident on Phases 1 and 2 of the estate which has been substantiated through representations made. The dwellings range from 1-6 bedroom with space to accommodate 2-4 cars depending on house size and yet in the evenings and weekends, the number of cars increase, causing on street parking problems, affecting highway safety and reducing accessibility for both pedestrians and vehicles. The relaxation of adopted standards would lead to an increase of cars from visitors and those occupiers of the 'Chafford' units who own more than one vehicle parking on the highway, leading to highway safety issues and a detrimental impact on the character and appearance of the streetscene.

With regard to the impact on the residential amenity of adjoining occupiers, the layout of the site would not create any adverse overlooking or loss of privacy although the introduction of a further 'Chafford' block to the rear of plots 105-107 would have an impact on the outlook of adjoining properties and would create some degree of an overbearing effect. This is considered to be insufficient to warrant refusal, given the built up nature of the development overall.

CONCLUSIONS: This revised proposal results in a poor standard of form, layout and design that fails to achieve an appropriate sense of place and character. The addition of an extra 13 dwelling units is therefore over intensive development of the phase and is contrary to Oakwood Park Local Plan Policy 1 and the objectives of the Oakwood Park Design Guide. The proposed car parking provision for the affordable units is inappropriate given the context of the site and does not accord with Policy GEN8 of the Uttlesford Local Plan. If approved the phase would represent a retrogression given the steps the Council has taken to try and ensure a higher standard of design on the estate.

RECOMMENDATION: REFUSAL

1. The proposal by virtue of its layout, form and design, results in a poor standard of residential development that fails to provide an appropriate sense of place and character, lacking visual quality and resulting in over-intensive development of the phase that would be detrimental to the visual interests of its surroundings and out of context with the existing and intended character for the site, contrary to PPS1, PPG3, PPG17, Policies GEN2 and Oakwood Park Local Plan 1 of the Uttlesford Local Plan, January 2005 and The Essex Design Guide for Residential and Mixed Use Areas, 1997.
2. The proposed car parking provision for plot 77-108 is unacceptable given the site's rural location and the level of public transport provision available. The provision of 100% car parking for these plots would result in high levels of on street car parking which would be detrimental to highway safety, public safety, the residential amenity of residents and the character and appearance of the streetscene, contrary to PPG3, PPG13, Policies GEN2, GEN8 and Oakwood Park Local Policy 1 of the Uttlesford Local Plan, January 2005.

Background papers: see application file.

UTT/1709/05/DC - SAFFRON WALDEN

Proposed Heritage Quest Centre a store for museum artefacts and resource base for study.

Location: Land off Thaxted Road. GR/TL 549-373.

Applicant: Uttlesford District Council.

Agent: Mr D B Demery

Case Officer: Mr T Morton 01799 510654

Expiry Date: 16/12/2005

ODPM classification: MINOR

NOTATION: Outside Development Limit.

DESCRIPTION OF SITE: The site is open land on a raised platform to the east side of Thaxted Road, and stands between areas of developed land, on either side to the north and south.

DESCRIPTION OF PROPOSAL: The proposal is for a new building to provide a 'Heritage Quest Centre' which is related to Saffron Walden Museum and will be the store for the reserve collection of museum objects, and a resource base for the public to study the collection. The footprint of the building (including portico) would be 16.7m x 7m.

APPLICANT'S CASE: The building replaces the existing Museum store in Newport, which suffers from periodic flooding, and is inadequate for public access to the collection. The site is prominently located on a plateau adjacent to Thaxted Road, and is adjacent to other recently approved developments for live work units, and business units which includes a new access road. There is an intention to relocate the immediately adjacent Civic Amenity Site to another spot within the new business area. The outlook from this site is across the small valley which accommodates Thaxted Road, and the site is significant on the approach to Saffron Walden. The proposed building provides a secure and environmentally stable store for museum artefacts that can be easily accessed for educational purposes and to support museum work. The intention is to provide a visually strong building which reflects the significance of the site and the prominence of its cultural purpose, whilst using an architectural vocabulary that can be associated with its function.

RELEVANT HISTORY: The land has been used up to now as a road sweepings transfer site, where material that is swept from the highway is deposited and eventually removed in bulk.

CONSULTATIONS: Essex County Council Highways & Transportation: Comments awaited.

TOWN COUNCIL COMMENTS: Consultation period expires 20 November 2005 – no comments received.

REPRESENTATIONS: This application has been advertised and no representations have been received at the time of drafting this report. Period expires 8 December 2005.

PLANNING CONSIDERATIONS: The main issues are

- 1) principle of use (ULP Policies S7, LC3.);
- 2) design (ULP Policy GEN1);
- 3) access and highways issues (ERSP Policy & ULP Policy) and
- 4) other material planning considerations.

1) The site is located just outside of the designated development limit for Saffron Walden, and is thus technically in open countryside. The site is however brownfield land, used for waste materials transfer. It is surrounded by other development including business development and the Civic Amenity Centre, and does not read as part of the open countryside. Policy LC3 accepts that community facilities will be permitted outside of development limits where the need can be demonstrated, the need cannot be met on a site within the boundaries, and the site is well related to a settlement. The museum currently has to store the bulk of its collection in a building that is prone to flooding and where environmentally stable conditions for the materials cannot be maintained, leading to their deterioration. That site is also not open to the public. The proposal here is for a modern facility that meets the need to store artefacts in a temperature and humidity controlled environment, and provides access for the public to study the collection. There are no available sites within Saffron Walden, or other settlements in the District. This site is close to the edge of Saffron Walden, and to other facilities used by residents, including the Civic Amenity Site and the Sports Centre. The proposals for the adjacent business site will also attract the public to this area and will eventually result in a cycle track being provided past the front of this site into the edge of the town.

2) The building is designed as a simple architectural box, with high quality materials. The entrance front is a fully glazed wall beneath a modern portico supported on thin columns, and the side and rear elevations are to be composed of polished black artificial stone. The overall appearance is an elegant architectural statement in a prominent position that will make a positive statement.

3) The site currently shares access with the Civic Amenity Site and County Highways salt store, but this is due to be amended and improved when the business estate is laid out on the adjacent lands to the south and east of this site. A new access road is to be provided to this area, and the new road will bring vehicles into the site from its rear. Pedestrians will continue to be able to enter the site from the front directly.

4) The site will be landscaped using native plant materials to demonstrate examples of local habitat, for example chalk grassland. This will be both attractive and educational.

CONCLUSIONS: The proposal is considered to be both an improvement to the cultural and heritage facilities of the District, and a positive architectural development that will enhance the appearance of this area.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.2. Details of materials to be submitted agreed and implemented.
4. C.4.2. Implementation of landscaping.

Background papers: see application file.

UTT/1552/05/FUL - FELSTED

Erection of four bedroom detached dwelling.

Location: Land adj The Spinney, Gransmore Green. GR/TL 694-223.

Applicant: F Clark

Agent: B Gordon

Case Officer: *Mr M Ranner 01799 510556*

Expiry Date: 21/11/2005

ODPM classification: OTHER

NOTATION: Outside of Development Limits.

DESCRIPTION OF SITE: The application site is rectangular in shape and measures approximately 15m along its frontage and 40m in depth. It forms the northern part of a property known as 'The Spinney', a substantial bungalow, which sits adjacent to the sites southern boundary. A stable building is currently accommodated within the site adjacent to the sites northern boundary in addition to a caravan, which is stationed within the rear part of the site on a separate graveled area. A brick wall with pillars and cast iron railings forms the front boundary, with the side (north facing) and rear (east facing) boundaries formed by Leylandi to 3.0m in height and 1.4m high fencing respectively.

DESCRIPTION OF PROPOSAL: The application seeks full permission for a single four-bedroom dwelling, which will be sited approximately 5m from the sites front boundary. Rear and front facing gables are proposed with two dormers within both the front and rear facing roof planes. External materials are to comprise a brick plinth with smooth rendered elevations below a plain tiled roof, which will have a ridge height of approximately 7m. A lounge, central hall, dining room, kitchen, study and toilet comprise the ground floor accommodation with four bedrooms, central landing, bathroom and en-suite at first floor. A garden area of approximately 15m by 25m will remain to the rear of the dwelling.

RELEVANT HISTORY: Relevant history pertaining to the site is listed as follows:

UTT/0927/78: Outline application for the erection of a bungalow. Refused 13 November 1978.

UTT/0083/84: Erection of washroom garage and open lean-to's. Conditional Approval 5 March 1984.

UTT/0803/05/FUL: Erection of four-bed dwelling with integral garage. Refused 12 July 2005. This application was refused for the following reason:

The proposal would represent an over development of the site by virtue of its cramped and congested layout and poor relationship with adjoining development. If permitted, it would be out of keeping with the existing spacious loose knit development characteristic of the surrounding area. Consequently the development neither protects nor enhances the particular character of the countryside in which it is set and is thereby contrary to policies S7 and GEN2 of the Uttlesford Local Plan.

CONSULTATIONS: Environment Agency: Standard response letter offering advice to the applicant in order to make the development more sustainable.

Essex County Council Highways: Comment under the terms of the current de minimis agreement this application is one where the highways aspects are left for determination by the local planning authority.

PARISH COUNCIL COMMENTS: Asks whether the property is outside the development area.

REPRESENTATIONS: Four letters of objection have been received from local residents. Their main points of concern can be summarised as follows: -

- Overlooking bathroom and bedroom windows resulting in a loss of privacy.
- The dwelling will exacerbate the existing problems the area has with foul water due to lack of drainage.
- The development will have an adverse affect on the loose knit character of the settlement.
- The development will represent an over development of the site.
- The development would appear bulky and discordant addition to the settlement.
- The access to the proposed building would require that the occupants have to drive any road vehicle along and over a public footpath, which would be a contravention of the Road Traffic Act.
- Additional development would exacerbate the existing flooding problems in the lane.

COMMENTS ON REPRESENTATIONS: The concerns expressed by residents that are of material importance to the consideration of this application will be addressed in the following section.

PLANNING CONSIDERATIONS: The main issues are

- 1) **the appropriateness of the proposed development in the Countryside and its impact on the appearance/character of the surrounding area (ULP Policies S7 & GEN2)**
- 2) **the impact of the proposed development on the residential amenities of neighbouring properties (ULP Policies GEN2 and GEN4) &**
- 3) **any other matters of material importance.**

1) The site is located within the countryside beyond development limits as defined in the adopted District Plan. Permission will not normally be given for development within these areas unless the proposals relate to agriculture, forestry, appropriate outdoor recreational uses and appropriate changes of use of suitable existing buildings compatible with a rural area. Policy S7 of the Adopted Local Plan requires development to protect or enhance the particular character of the part of the countryside within which it is set or demonstrate special reasons why the development in the form proposed needs to be there. The Local Plan does however indicate that infilling in accordance with paragraph 6.13 of the Housing Chapter can be appropriate within the countryside. Similarly paragraph 6.14 which follows on from 6.13 states that sensitive infilling of small gaps in small groups of houses outside development limits but close to settlements can be appropriate where the development would be in character with the surroundings and have limited impact on the countryside in the context of existing development.

The current application for consideration differs from the earlier refused scheme (UTT/0803/05/FUL) which was refused due to matters of detail rather than principle, in that the integral side garage has now been omitted. This allows for more space to be retained between that flank elevation of the dwelling and the neighbouring bungalow (5m) known as 'The Spinney'. Accordingly the proposed development will sit more comfortably with the neighbouring property. A space of 2.3m is to be retained between the main two-storey element of the house with the opposite side boundary and beyond this is an access road, which separates the site with 'New House'. The form and design of the dwelling is very similar to that of 'New House', which was allowed under appeal (UTT/0460/00/FUL), however the other existing dwellings in the vicinity of the site comprise a variety of styles and designs. Accordingly, officers are satisfied that sufficient space will remain around the dwelling to ensure that it does not appear cramped or congested within its plot and constitute an over development of the site. Similarly adequate separation will be achieved between the

new dwelling and existing neighbouring dwellings to ensure that it represents a reasonably sensitive infill of a small gap between dwellings and thus preserve the character and form of surrounding development in the locality. As a consequence officers consider that the dwelling will have limited impact on the countryside in the context of existing development.

2) With regard to residential amenity, the impact of the proposal is considered to be minimal. The occupants at Gransmore House situated opposite the application site have concerns particularly with regard to overlooking and loss of privacy to their bedroom and shower room. Officers have considered this point carefully however it has been assessed that as this window is already overlooked to a similar extent by 'New House', then the current levels of privacy pertaining to Gransmore House will not be significantly affected. In all other respects, the affects of the proposed development on residential amenity are considered acceptable.

3) Turning to other matters of material importance, the proposed development can be criticised for failing to meet sustainability criteria. The application site is located within a small settlement, however the facilities offered by the settlement are lacking. Commercial premises are located just to the north of the site, which may offer limited employment opportunities within walking distance for future occupants, however there are no other employers, shops or similar facilities within the vicinity of the site. The more major service centres are located a car drive away and as public transport options are poor, it is to be expected that the development, in the proposed location, is likely to rely to a significant extent on future owners having the use of a car. PPS7 entitled 'Sustainable Development in Rural Areas' places a particular emphasis on promoting more sustainable patterns of development, which is a material consideration, however as the previous application pertaining to the site (UTT/0803/05/FUL) was not refused on specific sustainability grounds, officers consider that it would be difficult to introduce this as a reason for refusal on this application, which represents a revised scheme.

Concerns have been expressed from residents, with regard to the use of the public right of way as a vehicular access into the site. The relevant bodies have been consulted in this respect, but at the time of writing, no responses have been received. The public right of way is already used by vehicles to access an existing vehicular entrance located to the rear of the site and in this respect the situation will remain unchanged. The Highway Authority do not wish to make any comments.

Finally, the Environment Agency has raised no objections to the application with regard to flooding or foul water drainage.

CONCLUSIONS: The proposal is considered to represent a sensitive infill of a small gap between existing dwellings, which will have limited impact on the countryside in the context of existing development. Officers are therefore satisfied that it constitutes appropriate development within the countryside in compliance with Local Plan policy S7. For the aforementioned reasons, officers recommend that the application be approved subject to the following conditions.

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.2. Samples of materials to be submitted agreed and implemented.
6. C.6.4. Excluding extensions without further permission.

7. The dwelling hereby permitted shall not be occupied until a parking area capable of accommodating three cars has been provided on the site as shown on a metric scale plan, that shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, to enable vehicles visiting the premises to stand clear of the highway and footpath. Such area shall not thereafter be used for any purpose other than the parking of vehicles.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no further windows, doors or openings of any kind shall be inserted in the flank elevations of the development hereby permitted without the written permission of the local planning authority. Reason: To safeguard the privacy of occupiers of the adjoining properties.

UTT/1622/05/FUL - LITTLE CHESTERFORD

Proposed erection of new building for B1 use.

Location: Chesterford Research Park. GR/TL 534-421.

Applicant: Norwich Union Life & Pensions

Agent: Malcolm Honour MRICS MRTPI

Case Officer: Mr T Morton 01799 510654

13 week expiry date: 3/1/2006

ODPM classification: MAJOR

NOTATION: Great Chesterford Local Policy 1.

DESCRIPTION OF SITE: The application site is an area of open land within the Chesterford Park Master Plan site, adjacent to the main circulation road within the Park, and is a location identified for a new building in the Master Plan.

DESCRIPTION OF PROPOSAL: The proposed building is a two-storey Class B1 Business development of 1528m², intended as the next phase of development at Chesterford Park for a prospective occupier. The external design of the building follows the style of design used in the recently constructed new buildings within the Park.

APPLICANT'S CASE: This site already has approval for a new research and development building, and this amended design has been arrived at in order to meet the requirements of a prospective occupier.

RELEVANT HISTORY: A Master Plan for the development of Chesterford Park was presented to the Environment and Transport Committee in June 2003, where it was resolved to approve the Master Plan, and in effect it now forms supplementary guidance to the Local Plan. This sets out a landscape framework and design statement with locations for new buildings.

UTT/1513/02/FUL - New central facilities building, new start up units etc. Approved 3 October 2003

CONSULTATIONS: Essex County Council Highways: No objections to this proposal.

Environment Agency: Standardised guidance has been offered in relation to design of drainage systems and the preferred use of sustainable drainage solutions.

Anglian Water: No comments or objections.

PARISH COUNCIL COMMENTS: No representations received. Consultation period expired 3 November 2005.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 1 November 2005.

PLANNING CONSIDERATIONS: The main issues are

- 1) location of development (ULP Policy Great Chesterford Local Policy 1);
- 2) design (ULP Policy GEN2);
- 3) access, parking and traffic generation (ULP Policy GEN1, GEN9) and
- 4) other material planning considerations.

1) The Local Plan sets out the development zone for this site, and the proposed development sits within the designated area. This is further confirmed by the adopted Master

Plan for the park. This proposal provides smaller units to meet the needs of companies that are in the early stages of their growth, with the hope that they will prove successful and expand, either by combining other space within this building or moving to larger units elsewhere within Chesterford Park.

2) The design of the building has a strong family resemblance to the previously approved and now completed new buildings on the site. This will provide a unifying identity to the buildings within the parkland setting, and help to blend the buildings into their environment. The design differs from the version approved in 2003 principally in the omission of the third storey used in other new buildings, which would house air extraction plant not required by the prospective occupier here. The new design also slightly repositions and rotates the building on the plot compared to the 2003 approval. The amended design and location is considered satisfactory.

3) Traffic assessments have already been carried out in earlier phases of the proposal for the park, and the access road and its junction with the main road network have been improved. The park also provides a minibus link to local rail stations and to Saffron Walden for shopping trips at lunchtime, and these are proving to be useful. This application is accompanied by an update to the traffic assessment that demonstrates that this phase of development sits within the capacities outlined in the original assessment.

4) None.

CONCLUSIONS: The proposals are considered to be satisfactory.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Three year time limit for commencement of development.
- 3 C.3.1. To be implemented in accordance with approved plans.
4. C.4.1. Scheme of landscaping to be submitted and agreed.
5. C.4.2. Implementation of landscaping.
6. C.4.8. Landscape management and maintenance plan.
7. C.8.22. Control of lighting.
8. C.9.1. No outdoor storage.
9. C.11.7. Standard vehicles parking facilities.
10. C.16.2. Full archaeological excavation and evaluation.
11. C.25.1. Airport related parking conditions.
12. The buildings hereby permitted shall only be used for uses falling with Class B1b of the Town and Country Planning Use Classes Order 1987, as amended and as may be amended or superseded.

REASON: In the interests of ensuring that development complies with the Council's policies for the Chesterford Research Park.

Background papers: see application file.

UTT/1736/05/LB - SAFFRON WALDEN

(Referred by Cllr Freeman)

Installation of photo-voltaic arrays.

Location: Town Hall, Market Place. GR/TL 538-384.

Applicant & Agent: Saffron Walden Town Council

Case Officer: *Mr R Aston 01799 510464*

Expiry Date: 05/01/2006

ODPM classification: OTHER

REPORT TO FOLLOW