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PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 5 APRIL 2006

APPL NO: **UTT/2075/05/FUL**
PARISH: **SEWARDS END**
DEVELOPMENT: Demolition of detached house. Erection of 2 one-and-a-half storey dwellings and a pair of semi-detached dwellings with associated garaging. Construction of a new vehicular and pedestrian access
APPLICANT: Mr R Kiszka
LOCATION: 7 Radwinter Road
D.C. CTTE: 15 March 2006 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: APPROVE
Case Officer: Mr S Kuschel 01799 510629
Expiry Date: 15/02/2006

APPL NO: **UTT/0055/06/FUL**
PARISH: **LANGLEY**
DEVELOPMENT: Proposed single storey garage to side
APPLICANT: Pelham Structures Ltd
LOCATION: Greenways
D.C. CTTE: 15 March 2006 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: REFUSE
Case Officer: Mr T Morton 01799 510654
Expiry Date: 13/03/2006

UTT/2075/05/FUL - SEWARDS END

Demolition of detached house. Erection of 2 one-and-a half storey dwellings and a pair of semi-detached dwellings with associated garaging. Construction of a new vehicular and pedestrian access

Location: 7 Radwinter Road. GR/TL 571-384.
Applicant: Mr R Kiszka
Agent: Mr I Abrams
Case Officer: *Mr S Kuschel 01799 510629*
Expiry Date: 15/02/2006
ODPM Classification: MINOR

NOTATION: Within development limits.

DESCRIPTION OF SITE: The site comprises the house and garden on the north side of 7 Radwinter Road, close to the junction with Redgates Lane. The house is set back from the road behind a graveled driveway and the frontage is enclosed by high conifers.

To the east of the application site is a development of 4 houses served via a private drive. This was granted permission on appeal in 2001, and comprises a mixture of two-storey and one and a half storey dwellings.

The site is located within the village of Swards End, two miles east of Saffron Walden. The village comprises modern housing in general, with the houses set well back from the road. The village has limited services, although there is a regular bus service to Saffron Walden.

DESCRIPTION OF PROPOSAL: Demolition of detached house. Erection of 2 one-and-a half storey dwellings and a pair of semi-detached dwellings with associated garaging. Construction of a new vehicular access.

APPLICANT'S CASE: Supporting statement submitted.

There are no highway grounds on which to object to the planning permission application on the basis of safety, visibility or design detailing. The width of the access is sufficient for 2 cars to pass. The layout of the private drive has been designed to fully accord with Essex Design Guide. The car parking provides for full compliance with the standards set out in the Adopted Plan. The frontage plots have been located to stagger a line between numbers 3 and 7A Radwinter Road. The height and scale of the dwellings on the frontage have been scaled down and will ensure that the contribution to the street scene is positive.

The proposal has been very carefully designed to ensure that there would be no overlooking or loss of privacy.

Concerns have been raised regarding the use of the access, loss of light and over bearing impact. The revised scheme shows the access does not abut a private garden area, but rather an access and car parking space. The access has been moved to enable a planting strip to separate the access from the common boundary. This will be in addition to the erection of a fence. The small scale of the development that will not generate a high degree of traffic

In terms of loss of light and over bearing impact, the distance of plots 1 and 2 away from the dwellings to either side will ensure that loss of amenity will not result. The same applies to

plot 3. In respect of plot 3 and 4, it is relevant to note that they are 1 ½ storey dwellings, of shallow spans and steeply pitched roofs, which reduces their bulk and impact.

Central Government is pushing for higher densities to make the best use of land. This proposal closely reflects the density of the adjacent site to the east, and the density of dwellings in Redgates Lane, where several new dwellings have recently been approved. The dwellings proposed are small scale, two bedroom dwellings on the frontage and three bedrooms houses to the rear.

The adjacent site immediately to the east of 7 Radwinter Road was granted planning permission for 4 dwellings in 2001 at appeal. Both sites are very similar in terms of their size and surroundings.

RELEVANT HISTORY: None

CONSULTATIONS: ECC Highways: Awaiting comments.

Landscape Architect: Consider that there area no trees on the site which are of public amenity value. The Leyland Cypress hedge which runs along the site boundary ought to be retained to provide a high level of screening.

ECC Specialist Archaeological Advice: 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 planning authority.

ECC Highways & Transportation: The Highway Authority would not wish to raise an objection to this proposed subject to conditions.

Environment Agency: No objection. Subject to condition.

Fisher German: Our client's apparatus, the Government Pipelines and Storage System, is not located within the vicinity of the above and we therefore have no further comments to make.

English Nature: English Nature advises that, the presence of a pond adjacent to the development site together with the existence of several ponds in the vicinity of the site constitutes a potential for reptiles and amphibians to utilize the area of the proposed development.

PARISH COUNCIL COMMENTS: The Council has serious concerns regarding the access point to the development. The visibility splay appears to cross the corner of the property at 3 Radwinter Road over which the applicant has no control and it is a serious concern that the planned splay will not be achievable.

The proximity of the access point to a potentially dangerous bend and the entrance to Redgate Lane also concern the Council.

Parking at the proposed site is considered inadequate.

REPRESENTATIONS: Notification period expired 11-01-06. ten letters of objection have been received.

Objections relate to such matters as follows:-

The proposed development of four houses is a gross overdevelopment of the plot of land.

Plot no. 4 is too close to the boundary.

The proposed access road is too close to the boundary.

The dormer window to the master bedroom of plot 4 overlooks house and garden causing loss of amenity.

Object to the very dangerous access to the proposed development being close to the Village Hall and the junction of Redgate Lane.

The high density of the houses is not in keeping with the rest of the village.

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

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the proposed development complies with Policy H3 which sets the criteria for infill sites within development limits. (ULP Policy H3);**
- 2) **the design of the scheme complies with the requirements of policy GEN2 and the backland element of the site meets the criteria as set out under Policy H4**
- 3) **the development provides a significant proportion of market housing comprising small properties (Policy H10) and**
- 4) **the development will provide a suitable access to the main road network.**

1) Policy H3 requires that states that new houses will be permitted on land within settlements if the development would be compatible with the character of the settlement. The criteria for such development includes the requirement that the land comprises previously developed land, has reasonable accessibility to jobs, shops and services by modes other than the car, that the existing infrastructure has the capacity to absorb further development.

The application site comprises a house within a large garden, located within the small settlement of Swards End, with reasonable access to jobs and shops. The principle of development in this location is therefore acceptable.

2) Policy GEN2 states that development must be compatible with the scale, form and layout of surrounding buildings; that important environmental features must be safeguarded, and there must not be any material affect on the reasonable occupation of surrounding residential property. The application proposes two one and half storey dwellings at the rear of the site and two storey dwellings fronting onto Radwinter Road. This follows that pattern of surrounding development which comprises one and a half storey houses immediately to the east and two storey housing along the frontage to Radwinter Road and Redgates Lane.

The scheme retains several existing trees on the site, which include a mature conifer hedge along the eastern boundary.

Policy H4 states that a parcel of land that does not have a road frontage will be permitted if all the following criteria are met:

- a) There is significant under use of land and development would make more effective use of it;
- b) There would be no material overlooking or overshadowing of nearby properties ;
- c) Development would not have and overbearing effect on neighbouring properties;
- d) Access would not cause disturbance to nearby properties.

The application site extends to 0.15 hectares, and its development would make more effective use of the land. The orientation of the two houses to the rear of the site is such that there would be no material overlooking of adjoining houses. There would be a bedroom window facing the rear of no.6 Redgates Lane, but it would be at a distance of over 20 metres from the back of the house.

The houses for the most part would be situated away from the boundaries. Part of the dwelling on plot 4 will be close to the rear boundary of no6 Redgates Lane but has a ridge height of only 6m at this point.

3) Policy H10 requires that such developments provide a significant proportion of market housing comprising small properties. In this case the scheme provides 2no. 3 bed houses and 2no.2 bed houses, and therefore meets the requirements of the policy.

4) The application provides 5.5 metre access for the first 6 metres, narrowing down to 4.1 metres. The application follows discussions with ECC Highways as the most suitable form of access.

CONCLUSIONS: The application proposes an acceptable form of development and planning permission should be granted.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.3. To be implemented in accordance with original and revised plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.4.6. Retention and protection of trees and shrubs for the duration of development.
6. C.12.1. Boundary screening requirements.
7. C.5.1. Samples of materials to be submitted and agreed.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A to E of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order (i.e. any extension, outbuilding, garage or enclosure) shall take place without the prior written permission of the local planning authority.
REASON: Any applications for further extensions will be considered in relation to this in the interest of protecting the residential amenity of adjoining neighbours.
9. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
10. No construction works shall take place before 8am Mondays to Fridays and 9am on a Saturday. No construction works shall take place after 6pm Mondays to Fridays or after 1pm on Saturdays nor at any time on a Sunday or Public Holiday.
REASON: In the interest of residential amenity.
11. 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.
REASON: To allow for excavation and recording of this site of archaeological importance in advance of and during development.
12. C.20.3.If Protected Species discovered get licence from DEFRA.
If at any time during the course of construction of the development hereby approved, a species of animal or plant (which include bats and great crested newt) that is protected under the Conservation (Natural Habitats &c Regulations 1994) is

discovered, all construction or other site work shall cease until a licence to disturb any protected species has been granted by the Rural Development Service.
REASON: To comply with the requirements of the Habitats Regulations and to protect species of conservation concern.

13. There shall be nothing above 600mm in height within a 2.4m visibility band across the frontage of the site frontage as set back from the edge of the carriageway.
14. The access should be 5.5m in width to allow for a vehicle standing at the access and for the swept path of an entering vehicle. This access should be served by way of a dropped curve crossing.
15. There should be visibility splays of 1.5m by 1.5m from the back of the footway on each side of the access.
16. Where the surface finish of a private drive access is intended to remain in unbound materials, the first 6m as measured from the highway boundary should be treated with an approved bound material to prevent any loose material from entering the highway.
17. The existing access from the site to the county road should be permanently closed in a manner and at a time to be agreed with the Local Planning Authority after consultation with the Highway Authority.
REASON 13-17 In the interests of highway safety.

Background papers: see application file.

UTT/0055/06/FUL - LANGLEY

(Referred by Cllr Chambers)

Proposed single storey garage to side.

Location: Greenways. GR/446-347
Applicant: Pelham Structures Ltd.
Agent: Pelham Structures Limited
Case Officer: Mr T Morton 01799 510654
Expiry Date: 13/03/2006
ODPM Classification: OTHER

NOTATION: Outside Settlement Boundary.

DESCRIPTION OF SITE: The site lies to the south-west side of the road and immediately beside a Grade II Listed house at 'The Cottage' and adjoins a more modern house at 'Ashwater'. A new cottage style house has recently been completed on the site.

DESCRIPTION OF PROPOSAL: Erection of a single garage, sited in the space between the new house and 'Ashwater'.

Members should be aware that this application is identical to UTT/1868/05/FUL, which was refused on 4 January 2006.

RELEVANT HISTORY: UTT/1157/91 and UTT/1158/91/LB Replacement dwelling and demolition of derelict bungalow Approved 23.01.1992.
UTT/1282/95/FUL & UTT/1283/95/LB Renewal of consent for replacement dwelling Approved 03.01.1996.
UTT/1657/04/FUL Detached two storey replacement dwelling. Approved 08 December 2004.
UTT/1868/05/FUL Proposed single storey garage to side. Refused 04 January 2006.

APPLICANT'S CASE: The approval for the new dwelling was subject to a condition restricting the erection of outbuildings, but all prospective purchasers of the house have expressed a requirement for a garage. This application seeks consent for a single garage. The applicant advises that they will be requesting Cllr. Chambers to call the case for decision at Committee.

CONSULTATIONS: Design advice: No design objections subject to the finishing materials matching the existing house.

PARISH COUNCIL COMMENTS: Following a meeting of the Langley Parish Council the evening of 13th February 2006, I am writing to advise you that Langley Parish Council have no objections to this planning application. Notification period expired 15 February 2006.

REPRESENTATIONS: This application has been advertised and one representation has been received. Advertisement expired 17 February 2006.

The adjacent occupier refers to the loss of the tree which offers screening to their property, and asks for a condition requiring the retention of the hedge and allowing it to grow up adequately to provide screening in replacement for the tree.

PLANNING CONSIDERATIONS: The main issues are;

- 1) development outside of settlement boundary (ERSP Policy C5, ULP Policy S7);**
- 2) setting of the Listed Building (ULP Policy ENV2);**
- 3) design and neighbours amenity (ULP Policy GEN2) and**
- 4) loss of tree (ULP Policy ENV3).**

1) The site is outside of settlement boundaries where development is not normally allowed, however the replacement of the bungalow that originally stood on this spot was accepted in a series of consents culminating in the 2004 decision, which has been fully implemented; the house is complete but still unoccupied.

2) The plot is immediately adjacent to a grade II Listed Building 'The Cottage' but the new house relates well to it in scale and siting. The proposed garage would be at the north end of the new house, but only 3.2 metres away from the Listed Building. It would be set well back in the site making it less visually prominent from the road. The site is very small and the new house is set much further forward towards the road than is typical along Langley Upper Green.

The siting and design of the new house was negotiated during the life of the application UTT/1657/04/FUL to achieve a design that was small and compact and fitted into the landscape of the site, respecting existing trees. For that reason officers consciously rejected the idea of a separate garage, and a condition was imposed on the approval preventing the erection of outbuildings under Permitted Development rights, because of the small nature of the site.

3) The proposed new garage would be 2.7m wide by 5.0m long for a single vehicle, sitting at the side of the new house in a space 4.8m wide and within 3.3 metres of 'The Cottage'. It would be very close to the boundary fence with 'Ashwater' adjoining to the north side, from where the roof of the garage would be visible above the top of the tall panel fence that forms the boundary. 'Ashwater' has its garage adjoining the fence, so there would be no direct impact upon that house itself.

4) One Maple tree on the site would have to be removed to enable the proposed garage to be constructed, and it would be right up against the boundary hedge, trapping it between the boundary fence and garage wall, where it would be unlikely to thrive, and if it dies that would reveal the roof to view from 'Ashwater'. The approved design with no outbuildings explicitly allowed for the boundary hedge with the next house 'Ashwater' to be retained, and thereby to minimise any impact upon the amenity of that house.

CONCLUSION: The approval for the new house contained a condition preventing the use of Permitted Development powers to add further buildings to the site. It is considered that circumstances have not changed, and the need to keep space around the building remains, in order to maintain the low density character of the area, to retain vegetation around the house, and to reduce the impact upon the neighbouring houses. Circumstances have not changed since the very recent decision to refuse the most recent application for an identical proposal. Refusal is recommended.

RECOMMENDATION: REFUSAL REASONS

1. It is considered that the development would have an unacceptable impact upon the character of the area, which is of houses set in spacious plots, by virtue of the restricted nature of the site and the cramped form of development that the proposed garage outbuilding would have. It is considered that the removal of an existing tree and probable loss of the boundary hedge implicit in the proposals, and the lack of space remaining for planting around the building would be harmful to the amenity of the area in general. For the above reasons the proposal is considered contrary to ULP Policies S7 and GEN2.
2. It is considered that the proposal would have a negative impact upon the amenity of adjoining residential properties by virtue of the siting of the garage in close proximity to the boundaries of the site and close to neighbouring houses, contrary to policies GEN2 and H8.

Background papers: see application file.

UTT/0018/06/FUL - LITTLE CANFIELD

Temporary construction of Haul Road during construction of initial phases of Prior's Green and site compound (temporary)

Location: Land North of Dunmow Road Prior's Green. GR/TL 578-212.
Applicant: Countryside Properties
Agent: Countryside Properties
Case Officer: *Mr M Ranner 01799 510556*
Expiry Date: 10/04/2006
ODPM Classification: MAJOR

NOTATION: Outside Development Limit/Within Countryside Protection Zone/Outside area subject to Takeley Policy 3 (Priors Green).

DESCRIPTION OF SITE: The application site is situated on the northern side of the B1256 Dunmow Road and largely comprises of open agricultural land. It is crossed by a drainage ditch and the line of a hedgerow at a point approximately 140m to the north of the access to the site on the B1256, which will be formed adjacent to an existing gated vehicular entrance between Warren Farm to the west and The Lion and Lamb Public House to the east. The western part of the site crosses a 10-metre length of 'Thornton Road', which adjoins the western most part of the site. Beyond this immediately to the west lies the Priors Green proposed residential site. In total the site covers an area of just over a hectare. Preparatory earthworks were undertaken last year.

DESCRIPTION OF PROPOSAL: The application seeks full permission for a temporary haul road, which is intended to provide access to delivery and construction vehicles in association with the development of the neighbouring Priors Green site. Access is proposed via a T-junction on the B1256 between Warren Farm and The Lion and Lamb Public House and the road will extend north across agricultural land for approximately 170m and curve around to the west where it will traverse Thornton Road onto the Priors Green site. The carriageway is intended to be 6m in width and laid with a concrete base with a Blacktop finish above. Close Boarded Fences of a height of 1.8m are proposed to be placed either side of the road on top of two temporary earth bunds of approximately 4m in width by a metre in height. A drainage ditch is also to run adjacent to the eastern side of the road. A wheel wash facility for vehicles leaving the site is to be incorporated into the design and is to be sited in the left hand carriageway in a central position approximately 90m to the north of the B1256. A 3m wide passing bay is also to be sited along the northern section of the site adjacent to the proposed temporary construction compound, which will occupy a triangular shaped plot of land abutting Thornton road on its western boundary. In addition two settling/attenuation ponds are shown on the submitted drawings to the north of the wheel washing facilities on the roads eastern side. One will have a minimum storage capacity of 25m³, the other 15m³. A landscaping scheme comprising of a screen of trees is proposed on top of the bund on the eastern side of the haul road for a length of approximately 50m just to the north of its junction with the B1256.

APPLICANT'S CASE: A detailed supporting statement accompanies the application. The conclusion to this statement has been replicated below:

"This application and Supporting Statement aims to address the grounds for refusal of the previous application:

- How impact on the open countryside in the Countryside Protection Zone will be reduced.

- Reasons for the location of haul road outside the limits of the approved master plan.
- The need and justification for the haul road in the proposed location.
- How the impact of the proposals on nearby properties, in terms of noise, smell, dust and fumes likely to be generated by construction and delivery vehicles will be reduced.

Since the previous application was refused, significant discussions have been held with officers from Uttlesford District Council and members of the Development Control Planning Committee on our intended proposals, the reasons for the location of this temporary route and how best to address committee and resident concerns.

This Supporting Statement has looked at and assessed the alternative routes into the site for the construction access.

The Statement concludes that in order to avoid a 'clash' of users and to avoid significant health and safety implications, the construction traffic can not feasibly and safely be routed within the site.

A haul road within the site would generate unacceptably high levels of traffic that would create a greater impact on the new and existing residents in terms of traffic, noise, dust, and general disturbance than that proposed within this application.

Other options for the haul road are constrained and prevented by landownership issues, planning restrictions and existing rights of way legal restrictions.

Since the Outline Planning Application and Master stage, Health and Safety standards and highway standards have also significantly changed. This change and increase in standards have meant that the only possible route for the haul road is outside the Outline Application boundary. This was not included in the initial Outline Application or Master Plan as this application is for a *temporary land use only*.

As a result of these restrictions and on the basis that this location would cause fewer disturbances and less overall impact to the local community and the surrounding highway network, we seek approval for the temporary haul road in the proposed location.

Any impact or disturbance on the surrounding residents and visual intrusion will be largely reduced by planting of significant and mature landscaping. The extent, level and detail of which can be dealt with through further discussion with planning officers if required.

The visual impact, noise and dust can be minimised by fencing and the creation of 1m high temporary landscaped bunds. A wheel wash facility and the tarmac surfaces will also minimise, if not prevent, the spread of mud or dust.

Minimal low level lighting of the haul road will be strictly controlled in terms of hours of working and the design of the lighting will be such to minimise light pollution and disturbance.

Levels of working hours could be controlled by planning condition and the two main accesses will be gated to ensure the haul road is not used outside of these working hours.

It is therefore suggested that this planning application and its Supporting Statement have fully addressed the grounds for refusal for the previous application. Furthermore, this planning application has made significant amended proposals to reduce any potential impact

and disturbance and has fully assessed any other option or route for this haul road within the site boundaries.

It is emphasised that this proposed haul road is for a **temporary** period only and will revert back to an agricultural land use after a five year period from planning consent.”

RELEVANT HISTORY: This application represents a revised application following the earlier refusal of planning application for a temporary haul road at the site, (ref: UTT/1347/05/FUL) on 4 November 2005. This application was refused for the following reasons:

1. The site is located within open countryside in the Countryside Protection Zone as defined in the adopted Local Plan and outside the limits of the approved masterplan, wherein new buildings and uses which would adversely affect the open characteristics of zone will not be permitted. The proposed development by virtue of the significant amount of hard surfacing and associated paraphernalia, such as fencing, other means of enclosure, lighting and the likely presence of stored materials etc, will appear incongruous and out of keeping with the open, rural character of the locality, to the detriment of the Countryside Protection Zone. The need for the development in the proposed location has not been satisfactorily demonstrated and so no justification exists for the proposed development, which is inappropriate to the rural area. If permitted it would thereby be contrary to policy S8 of the Uttlesford Local Plan.

2. The proposed haul road, by virtue of its proximity to nearby properties, and the noise, vibrations, smell, dust and fumes likely to be generated by construction and delivery vehicles accessing the road, will cause material disturbance and nuisance to occupiers of surrounding properties. It would thereby be contrary to policies GEN2 and GEN4 of the Uttlesford Local Plan.

CONSULTATIONS: Environmental Services: Raise no concerns in respect of the proposal and comment that: “the developer’s proposals to minimise noise, dust and artificial lighting are in accordance with best practice.”

Environment Agency: No objections to the proposed development.

Thames Water: Comment as follows “There are public sewers crossing the site, therefore no building will be permitted within 3m of the sewers without Thames Water’s approval”.

Essex County Council Highways and Transportation: Responded to consultation by submitting a holding reply but have yet to respond in full.

PARISH COUNCIL COMMENTS: Little Canfield Parish Council: Object as follows:

“In view of the decision of the Planning Authority to refuse consent only a few weeks ago to countryside Properties for the construction of a haul road in the vicinity of the Lion and Lamb Public House, we are very surprised that their new application appears to be merely a rehash of their original proposals with a few cosmetic adjustments. They have done, and can do, nothing to counter the fact that the proposed road is located outside the boundaries of the original master plan in open countryside, which as stated in the decision document, is in the Countryside Protection Zone as defined in the adopted Local Plan.

We continue to object most strongly to this application, which in spite of the delightful aspect of their new road produced by Countryside to support their application, will bring nothing but inconvenience and nuisance to those residents who live outside the development area and should therefore not be affected by it. It will also adversely affect local businesses active in that area, in particular the Lion and Lamb Public House, however hard the applicants stress that their bunding, lighting, and dust and noise control will be contained. Landscaping would not be effective immediately.

As far as we can see from other recent similar developments in the area, such as Barkers Tank in Takeley, and the big hospital development in Haymeads Lane, Bishop's Stortford, careful management has been utilised WITHIN THE SITE to enable the house building to proceed satisfactorily as well as purchasers to take up residence well before the whole site has been completed. Countryside should be experienced enough in property development to be able to do the same. It might give them more of a headache than the easier option (for them) of a temporary haul road.

Countryside Properties have already proved by precipitate action in starting ground preparation at both Warwick Road and the site of the haul road before adequate planning approval has been given that they intend to do things their way and they should not be allowed to ride roughshod over existing residents and their lives. Warwick Road was the access shown on the approved master plan, and Warwick Road (Option4) should continue to be the only access to the development for the duration of the contract.

On behalf of all our parishioners who live in the immediate area of the Priors Green development (most of them had no knowledge of the new application until very recently), we would urge members of the Council to confirm their earlier decision to refuse permission for the construction of a large, unnecessary and obtrusive road through the middle of an open field in the interests of the village of Little Canfield."

Takeley Parish Council: No objections to the proposed development.

REPRESENTATIONS: This application has been advertised and objections have been received from 19 local households. The main points of objection/concern can be summarised as follows:

- The Compound is sited too far away from the areas where works will be taking place resulting in more site movements taking place crossing Thornton and Hamilton Roads.
- The development should not affect services such as electricity, water and telephone lines that run under Thornton Road.
- The development will cause significant harm to local residents i.e. noise, dust, mud, loss of privacy and outlook.
- The resultant dust and noisy environment will likely create health and hygiene risks for customers of the nearby public house. The disturbance is also likely to be detrimental to the business/viability of the public house.
- The road will be harmful to the appearance of the Countryside Protection Zone and lies outside of the limits of the approved Master Plan.
- The proposed development will be detrimental to highway safety as the site falls within a 60 mph speed limit zone and vehicles will be turning close to the entrance of the public house.
- No need for the road in this location. Access can be gained as originally proposed by the main entrance to the site and wheel washing facilities and compound located within one of the phases prior to development. The proposed access to the temporary haul road is outside the proposed 30 mph limit of the B1256. The original access to the Priors Green site would be inside the proposed 30mph limit off of the newly constructed roundabout. Obviously this would be a far better access point. In this respect Option 4 as put forward by Countryside is supported.
- Will the road be a permanent road for future development?
- The development will result in the loss of arable farmland.
- Where the temporary haul road crosses Thornton Road, this must be in one place clearly defined and adhered to by traffic. No other place than this designated place

must be used. There shall be no access to construction vehicles along Thornton Road and resident's access along the road should not be impeded.

- A time period of five years should be set if the development is approved for the removal of the temporary haul road and this should not be extended.
- The movement of construction vehicles will impede residents from readily being able to gain access to their properties.
- The vibrations, dust and pollution associated with the development will be harmful to adjacent listed buildings.
- The reasons for refusal relating to the previous application Ref UTT/1347/05/FUL are still relevant.
- The screen planting proposed along the eastern boundary of Thornton Road, will have to be disregarded to allow access to the compound.
- Preliminary works have already commenced on site, taking for granted that permission would be forthcoming.

COMMENTS ON REPRESENTATIONS: The third party representations that raise matters of material importance to the consideration of this application will be addressed during the considerations to this report.

PLANNING CONSIDERATIONS: The main issues are

- 1) **the appropriateness of the proposed development in light of the sites location within the Countryside Protection Zone and its impact on the character and appearance of the area. (ULP Policies S8 & ENV8);**
- 2) **whether the proposed development will be prejudicial to highway safety (ULP Policy GEN1);**
- 3) **the impact of the proposed development on nearby residential amenity (ULP Policies GEN4 & ENV11) and**
- 4) **other material planning considerations.**

1) The site is located on agricultural land bordered and subdivided by hedgerows with scattered trees. The site is relatively open in character and distant views are obtainable to the north and east towards the new A120 trunk road. The site is open to rear views from the Lion and Lamb Public House and from private dwellings along Thornton Road and from Thornton Road itself. The whole site falls within the Countryside Protection Zone (CPZ) wherein policy S8 of the local plan applies. This stipulates that in the CPZ planning permission will only be granted for development that is required to be there, or is appropriate to a rural area. In particular development will not be permitted if either new buildings or uses would promote coalescence between the airport and existing development in the surrounding countryside or it would adversely affect the open characteristics of the zone.

The previous application concerning the haul road was refused on the basis that it would appear incongruous and out of keeping with the open, rural character of the locality to the detriment of the CPZ. The current application is very similar in terms of siting, layout and design; although a screen of soft landscaping is now shown to be planted along a section of 50m on the eastern side of the road at a point just to the north of the B1256 and additional fencing along the sides of the road is now proposed. Additional information also accompanies the application concerning lighting and artistic impressions of the entrance to the site. These revisions have been carefully noted however officers are of the view that they fail to overcome the concerns previously expressed by the Council concerning the harmful impact that the development would have on the open characteristics of this site, which lies within the CPZ. This, officers consider, is inevitable by virtue of the very nature of the development as the road and all of its associated paraphernalia such as bunding, fencing, areas of storage and hard surfacing will bisect a relatively large area of exposed

open farmland and areas of traditional hedgerow. In this respect the development will appear incongruous within its countryside setting to the detriment of the open characteristics of the CPZ. This would be contrary to the aims and objectives of Policy S8 of the Local Plan which dictates that there will be a strict control on new development within these areas in order to retain and preserve the open characteristics of the zone.

Additional information has been submitted regarding the reasons for the road and Officers acknowledge that the development is a temporary expedient only; however the road is likely to be required for at least a period of five years, which is a considerable length of time. The fact also that the Councils decision to refuse the previous scheme on the site was made in the full knowledge that the proposal was a temporary expedient only is material to the consideration of this current revised application and it would be inconsistent at this stage for officers to recommend that the aforementioned harm caused by the development could be justified due to the temporary nature of the development.

Similarly, with regard to the need for the development to be located at the chosen site the Council determined with the previous application that this had not been satisfactorily demonstrated. Additional information has been submitted with the current application in an attempt to demonstrate need. This has involved the applicants exploring a number of alternative options for construction accesses into the Priors Green site. These include gaining access through land south of Takeley Nurseries, from Jacks Lane, from Dunmow Road at the western end of the development and via Warwick Road. These have all been discounted by the applicants on the basis that there would be a conflict with other users, they would give rise to Health and Safety implications, generate high levels of traffic, have a greater impact on the new and existing residents in terms of traffic, noise, dust and general disturbance, fail to meet ECC Highway standards, and be affected by land ownership implications, planning restrictions and existing rights of way and legal restrictions. Officers acknowledge that three of these options are either not practical or desirable in planning terms and so do not offer realistic alternatives. The Warwick Road access, as originally approved by the outline planning permission for the site (UTT/0816/00/OP) can however be used and is a route that has always been supported by the Highway Authority. It is also apparent from discussions between Officers and Highway Engineers that this continues to be the case. This has the disadvantage however that when the initial phases of dwellings are constructed and subsequently occupied in accordance with the approved phasing plan, all heavy construction traffic will continue to have to utilize the main estate road to access the remaining phases still under construction. This arrangement is likely lead to disturbance an inconvenience to the initial occupants of the estate and both residents and construction vehicles will use the same internal estate roads and single access point onto the B1256. Purchasers of the new properties should however be aware of the ongoing works likely to be going on during the development of the overall development and also the use of an internal construction road is not an uncommon arrangement with larger residential developments. It is not disputed that the proposed haul road offers the applicant advantages in developing the site, however the site can adequately be developed by utilizing the existing Warwick Road access and in this respect the proposed development is not essential to the development of the site. As a consequence the applicant has failed to demonstrate that the development is required to be there.

2) The applicants have been involved in negotiations with the Highways Authority for some time and it is the Officers understanding that a safety audit is being undertaken on the submitted drawings. The layout of the road and the priority junction has been guided by advice from the Highway Authority and as no objections were raised by the Highway Authority in respect of the previous scheme, which is almost identical in its junction layout with the B1256, officers do not anticipate that objections are likely to be forthcoming in this case. Any consultation responses received, will however be copied to or reported verbally to members at the Committee meeting.

3) Concerns continue to be expressed by existing local residents with regard to the potential impact of the proposal on their residential amenities. It is also material to the consideration of this application that the previous application pertaining to the site was also refused on the grounds that the use of the haul road would cause material disturbance and nuisance to occupiers of surrounding properties. In order to address this a screen of trees is proposed along the top of the eastern bund just north of the access junction in addition to close boarded fences of 1.8m in height (on top of a 1m bund) so as to mitigate the effects on the closet properties to the road, including the Lion and Lamb Public House. In light of these alterations and in line with advice from Environmental Services, who advise that the developers proposals to minimise noise, dust and artificial lighting are in accordance with best practice officers consider that the previous reason for refusal has been overcome and there are now insufficient grounds on which to base a refusal concerning residential amenity.

4) Turning to matters of drainage, officers are satisfied that the proposal should not give rise to any adverse affects in these respects based on the advice of both Thames Water and the Environment Agency who raise no objections to the proposed development.

Concerns have been expressed with regard to the impact of the proposed development on listed buildings located close to the site. These are Warren Farm, The Lion and Lamb Public House and Baileys. Officers are satisfied however that the development is unlikely to have any harmful affects on the setting or external condition of these buildings as they are already situated within a road side setting and close to existing vehicular movements. It is also of material importance that the previous application was not refused on these grounds and it would be unreasonable of the Council to now do so with this revised proposal.

CONCLUSIONS: In light of the above considerations officers consider that the proposed development will cause harm to the open characteristics of the CPZ and in this respect fails to comply with the requirements of Policy S8 of the Uttlesford Local Plan and overcome the reason 1 of refusal pertaining to the previous application relating to the site, (UTT/1347/05/FUL) The other matters concerning neighbouring residential amenity have in the view of officers been adequately addressed and now satisfy the requirements of Environmental Services. Despite this the application is recommended for refusal based on the harm caused to the Countryside Protection Zone.

RECOMMENDATION: REFUSAL REASON

The site is located within open countryside in the Countryside Protection Zone as defined in the adopted Local Plan and outside the limits of the approved master plan, wherein new buildings and uses which would adversely affect the open characteristics of the zone will not be permitted. The proposed development by virtue of the significant amount of hard surfacing and associated paraphernalia, such as fencing, other means of enclosure and the likely presence of stored materials etc, will appear incongruous and out of keeping with the open, rural character of the locality, to the detriment of the Countryside Protection Zone. An alternative route for construction vehicles to the Priors Green development already exists via Warwick Road, which if utilised would have no impact on the Countryside Protection Zone. Insufficient justification therefore exists for the proposed development, which is inappropriate to the rural area. If permitted it would thereby be contrary to policy S8 of the Uttlesford Local Plan.

Background papers: see application file.

UTT/2108/05/FUL - HIGH EASTER

Change of use of agricultural buildings to a livery enterprise to include indoor menage, stabling and grazing

Location: Lawn Hall Farm North End. GR/TL 655-172.
Applicant: Strutt & Parker (Farms) Ltd
Agent: Strutt and Parker
Case Officer: Mr M Ranner 01799 510556
Expiry Date: 17/02/2006
ODPM Classification: MINOR

NOTATION: Outside Development Limits.

DESCRIPTION OF SITE: The application site is located in open countryside to the south of Onslow Green. It comprises a number of agricultural buildings located centrally within a larger complex of farm buildings, which is accessed via a long and single track lane leading from the A130 Chelmsford Road. The nearest properties to the site are a group of three cottages located on the approach to the farm just to the north.

DESCRIPTION OF PROPOSAL: The application proposes a change of use of the buildings on site from agricultural to livery for the keeping of horses. The main central building comprises a partly open sided cattle shed, which is to be converted to accommodate seven loose boxes at its northern end with the remaining part of the building utilised as an indoor ménage. A narrow red brick building abutting the cattle sheds southern elevation, which comprised the former parlour and an adjacent smaller separate brick building are to be converted into a mess room, plant room, two toilets, a tack room and five further loose boxes. A traditional timber framed storage barn located on the cattle sheds western elevation is to be utilised as a feed store. Only minor alterations are proposed to the existing buildings, largely comprising internal partitioning, the infilling of openings within the buildings elevations and general repairs. Twelve acres of grassland adjacent to the buildings are intended to be utilised for horse grazing and exercise. The farm itself extends to approximately 855 hectares.

APPLICANT'S CASE: A Supporting Statement, ecological survey and traffic assessment accompanies the application. These are contained on the file.

RELEVANT HISTORY: A number of planning permissions have been granted in relation to the agricultural use of the remaining buildings and associated land on the farm however the application site itself has not been subject to any recent formal proposals that would be of material importance to the consideration of this application.

CONSULTATIONS: English Nature: Advises the site may support populations of protected species and consequently recommend that an appropriate ecological survey be carried out. The Highway Authority: No objections based upon the information supplied by the applicant regarding the expected reduction in traffic movement to the site subject to the public right of way in the vicinity of the site not be obstructed or adversely affected in any way by the proposed works.

PARISH COUNCIL COMMENTS: None received. (due 27 January 2006).

REPRESENTATIONS: None received. (due 18 January 2006).

PLANNING CONSIDERATIONS: The main issues are:

- 1) whether the proposal constitutes appropriate development within the Countryside (ULP Policies S7 & E5);**
- 2) the effects of the development on the ecology of the site (ULP Policy GEN7);**
- 3) the impact of traffic likely to be generated by the development on the surrounding highway network. (ULP Policies GEN1 & E5) and**
- 4) any other matters of material importance.**

1) The conversion and re- use of rural buildings for business uses will be permitted in the countryside in accordance with policy S7 if the proposal complies with all of the criteria specified in ULP Policy E5. With regard to part a) of this policy the accompanying supporting statement states that the buildings are of permanent and substantial construction. From the officers inspection of the buildings, there are no reasons apparent to question this statement and officers are satisfied that the proposal is satisfactory in this respect. Turning to point b), it is apparent from the submitted drawings that the buildings are capable of conversion without major reconstruction or significant extension. The most notable alterations relate to the internal layout of buildings, however overall the alterations can be considered to be minimal and externally the buildings will largely retain their existing appearance. With regard to part c), other external alterations to the site will be minimal. Conditions concerning soft and hard landscaping, lighting etc will ensure that the development is closely controlled in order to protect and enhance the character of the countryside in which it is set. The impact of the development on bio diversity will be addressed in the following section to this report. Part c) also refers to noise levels or other adverse impacts, although officers are confident that the use, which is similar in nature to current use of the site (accommodating livestock), is appropriate to this rural location and would not be a use associated with excessive noise or disturbance. With regard to part d), the traffic likely to be generated by the new use is considered by officers to be acceptable; however this will be addressed in full during section three of this report. In summary, officers are therefore satisfied that the proposal complies with all the provisions set out in policy E5 and so in turn the development is considered appropriate within the countryside in accordance with policy S7 of the ULP.

2) Turning to the ecology of the site, following advice from English Nature, the applicants commissioned and submitted two ecological surveys. One of these concerned bats and identified that they are likely to roost in only one of the buildings, namely the old timber framed barn. This particular building is only proposed to be used for storage purposes (feed store), which it is used for at present and so consequently the continued use of the barn for these purposes albeit in connection with a different use, is unlikely in the view of officers to have an impact on bats. The other buildings have not been identified as providing suitable accommodation to contain bats due to their more modern means of construction. No evidence of Barn Owls has been found. E.g. pellets, nesting materials, and with regard to Great Crested Newts the survey has identified that the proposal will not result in the loss of any terrestrial habits or access to these habitats. These surveys and their findings have been forwarded to English Nature although at present no comments have been received. In the event that a response is received before Committee then any comments will be copied to Members or reported verbally at the meeting.

3) With regard to the possible impacts of the development on the surrounding road network, the applicant undertook a traffic assessment detailing the existing and expected traffic flows likely to be generated as a result of the proposed development in response to initial concerns raised by the Highways Authority. This indicates that the daily traffic movements associated with the new use are expected to be small. Following further consultation the Highways Authority are satisfied with the assessments results and thus raise no objections. Accordingly in line with this advice officers are satisfied that the

development will not place unacceptable pressures on the surrounding rural road network in terms of traffic levels, road safety, countryside character or amenity.

4) The nearest residential properties not associated with the farm are located on the farm road approximately 140m to the north of the site. As already outlined traffic movements associated with the use are not expected to be high or of a type of vehicle that are likely to cause a nuisance. Similarly the nature of the proposed use and its similarities with the current use of the site for dairy farming are such that that a livery use is unlikely to give rise to any harm to residential amenity by virtue of general disturbance, noise, smells etc.

A public bridleway is routed immediately to the west of the old timber framed barn on the eastern side of the site. No works are proposed that would obstruct or impede this route and it is not envisaged that an equine use will prejudice the use of the bridleway.

Finally, it is recognised that equestrian and similar uses in the countryside can result in further pressures for associated development. Although a concern it's only the development submitted that can be considered as part of this application. Also of course any future development is likely to require planning permission or can be controlled by condition. With regard to security Lawn Hall Farmhouse is located adjacent to the eastern side of the site and so should provide the equine facility with adequate security and further natural surveillance would be afforded by the three dwellings located to the north on the approach to the site.

CONCLUSIONS: Accordingly in light of the above considerations officers consider that the application accords with relevant Local Plan Policies S7, GEN1, GEN7 and E5 and so make the following recommendation.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Samples of materials to be submitted agreed and implemented.
6. C.6.5. Excluding fences and walls without further permission.
7. C.9.1. No outdoor storage.
8. No external lighting shall be provided without the prior written permission of the local Planning Authority.
REASON: In the interests of the visual amenities of the area.
9. C.20.3. If Protected Species discovered get Licence from DEFRA.

Background papers: see application file.

UTT/0348/06/FUL - QUENDON & RICKLING

Demolition of two existing dwellings and erection of three No five bedroom houses one No three bedroom house

Location: Greenacres & Longridge Green Road. GR/TL 510-300
Applicant: East Anglia Developments Ltd
Agent: Mr I Abrams
Case Officer: Mr T Morton 01799 510654
Expiry Date: 29/05/2006
ODPM Classification: MINOR

NOTATION: Inside Development Limit.

DESCRIPTION OF SITE: The application concerns the sites of 2 adjacent bungalows set behind the frontage properties and accessed by a private drive, the first 32m of which is maintained by the County Highway Authority, but only to footpath standards, and this also serves as the rear access to another 6 houses in Rickling Green Road. A public footpath runs along the eastern boundary of the site, outside of a hedge which forms the boundary to the garden land, but the footpath runs on land in the ownership of the applicant. The rear gardens are mainly laid to lawns with trees and shrubs planted in the grass, and the site is bounded by mature hedges and trees which enclose it very well. The two gardens have some trees and shrubs as part of their planting, but none of this is of significant landscape value.

DESCRIPTION OF PROPOSAL: The application proposes 4 new dwellings, three five-bedroom houses, and one three-bedroom house. [NB part of the site included in earlier applications is excluded from this application.]

APPLICANT'S CASE: This is a re-application for four houses which were part of the submission refused in February 2006. The contentious element of those proposals, a bungalow, is excluded from this application.

RELEVANT HISTORY: UTT/1568/04/OP: Outline application for demolition of two dwellings and erection of 5 no dwellings. Approved 2 December 2004 subject to conditions including a condition that the house on Plot 5 shall be a single-storey dwelling.
UTT/2114/05/FUL: Erection of three No five-bedroom houses, one No three-bedroom house and one No. three bedroom bungalow. Refused 22 February 2006.

CONSULTATIONS: Environment Agency: Raise no objection but provide standard advice on drainage issues.

English Nature: The proposals are not likely to affect a SSSI. Attention is drawn to the need to carry out an appropriate survey if Protected Species are thought to be present. [Note; there are no records of Protected Species in the area]

PARISH COUNCIL COMMENTS: Consultation period expires 29 March 2006.

REPRESENTATIONS: One. Notification period expired 20 March 2006.

Occupiers of a house in Greys Hollow wish to be assured that no drainage will be directed towards their lower site. They are concerned at loss of amenity from being overlooked and do not wish to lose their right to enjoy the wildlife and privacy.

COMMENTS ON REPRESENTATIONS: The Greys Hollow properties will be adjacent to gardens as they are now. All water runoff from the roofs or drives of this development will need to be piped away. Since the gardens of the existing bungalows adjoin Greys Hollow gardens, and gardens of the proposed houses also adjoin Greys Hollow gardens in the same way, there is no material change in the degree of overlooking.

PLANNING CONSIDERATIONS: The main issues are

- 1) **the principle of development; the issue of ‘backland’ development. (ERSP Policy CS1, & ULP Policy H3);**
- 2) **the proposed density of development / housing mix. (ERSP Policy CS1, H2 & ULP Policies GEN2, H10.);**
- 3) **effects upon the amenity of adjoining residential property (ULP Policy GEN2.);**
- 4) **adequacy of the proposed access (ERSP Policy T3, & ULP Policy GEN1);**
- 5) **effects upon landscape and wildlife (ULP Policy GEN7).**

1) The site lies within the defined settlement boundaries of Quendon and Rickling and therefore in principle development is acceptable under policy H3 of the Local Plan, subject to meeting other policy requirements of the plan. The principle of development for five dwellings has been accepted with the grant of outline consent, though this application is submitted not as Reserved Matters to that Outline, but as a full planning application for four houses, leaving a fifth plot out of the current proposals where a bungalow was proposed in the most recent, refused application.

The application proposes four houses; three No. 5-bedroom houses, and one No. 3-bedroom house. To reflect the requirement of Uttlesford Local Plan Policy H10 a mix of dwelling sizes is to be provided.

2) The policy context for housing development is set by PPG 3 Housing, which sets the general approach in its paragraph 58.

“Local planning authorities should therefore:

- avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare net;
- encourage housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare net);”

However, paragraph 54 advises that, “Local planning authorities and developers should think imaginatively about designs and layouts which make more efficient use of land without compromising the quality of the environment”, further clarified by paragraph 56, “The design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development.”

Structure Plan Policy H2 sets out the sequential approach to the re use of previously developed land for residential development, and this site would fit into the provision for small scale housing within small towns and villages at a scale consistent with local community needs.

The site is some 4,200 square metres in size and the proposed 4 dwellings equates to a density of 12 dwellings per hectare (dph). Development at 30 dph would indicate 12 dwellings, but this has to be related to the restricted access to the site, which is an unadopted private drive. Planning standards set a maximum of five dwellings that can be served from such a private drive. The village is low density, with in the main detached houses set in sizeable plots, and that also sets the pattern to follow. The existing 2 bungalows stand in plots that are clearly larger than the norm in the vicinity. A balance

needs to be struck between avoiding profligate use of land and maintaining the character of the area. The proposed 4 houses could not be seen as an overdevelopment of the land.

Given the large plot sizes that arise from this, it is challenging to achieve a mix of dwelling sizes, as called for by Policy H10 of the Local Plan, which talks in terms of an element of small 2 and 3 bedroom homes. Providing 2 bedroom houses on such large plots is seen by the applicant as a clear underdevelopment, leading to pressure to expand such houses even if provided. The proposals offer a compromise mix of one three bedroom dwelling, and three five-bedroom dwellings, which the plots can easily accommodate. This is considered to meet the aims of the policy in an acceptable way on this site, given its size and constraints. It should be noted that part of the site remains to be treated as the subject of a separate application for a bungalow to meet the terms of the Outline planning condition, which can also be a smaller sized dwelling.

3) Protection of the amenity of adjoining residential premises is related to the impact upon overlooking, daylighting and to some extent noise and disturbance. With regard to overlooking, the Essex Design Guide for Residential Areas sets standards for the distances between windows of opposing houses, and on the west side it is the rear windows of 2 Grey Hollow that need most consideration, the spacing to the rear of the closest new house would be 30 metres, which exceeds the minimum standard of 25 metres by a large margin. On the East side, Spinney Cottage is not affected by this proposal. With regard to daylighting, the substantial distances between the proposed new houses and those surrounding means that there will be no significant impact on the daylight received by those existing houses.

As this proposal omits the fifth plot, which was to accommodate a bungalow that was the contentious element of the previous application, it is considered that the current proposals are satisfactory. The fifth plot will be the subject of a separate application.

4) There is only a single access to the site, which currently serves the application properties and a number of others as well. This is adopted highway up to the entrance of the application site. The proposed development implies some greater intensity of traffic movements. The County Highways standard asks for a width of 4.1 metres for the first 6 metres. Drawings from the County Highway Authority confirm that in terms of the width and size of the area which they maintain to footpath standard, these dimensions can be met. Beyond the 6 metre point the width can taper down to 2.4 metres, and this is also met. If any dwelling is more than 25 metres from the highway, a bin collection point is needed within that distance. Access for fire tenders requires 3.7 metres width, and this is met, though the surface will need to 'hardened' to take the 12.5 tonne weight specified. The access may well need reconstruction, but the required dimensions are there. If the standards are thus met, they are considered adequate for any number of vehicles to use. Sightlines are acceptable, and although they are sometimes limited by poor on-street parking, that is not a reason to reject the access arrangement.

5) Effects upon landscape and wildlife are a material consideration as the site lies close to an Ancient Woodland site, separated by the width of the footpath. The development would not encroach upon the wood itself, and English Nature has raised no specific objections. The effect of the new house upon the wood is likely to be little different from the existing houses. There is no evidence of use of the site by Protected Species. The current gardens are well managed and would appear to offer little scope for nesting sites, though they are probably visited by wildlife in common with other gardens. The same would be true of the gardens within the new development.

6) No other issues are considered to arise.

CONCLUSIONS: The proposal is considered to represent an acceptable balance between the aims of policies, the constraints upon the site, and the amenity of adjacent residents.

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.4.1. Scheme of landscaping to be submitted and agreed.
5. C.4.2. Implementation of landscaping.
6. C.4.6. Retention and protection of trees and shrubs for the duration of development.
7. The garaging hereby approved shall be constructed in accordance with the approved plans and shall remain as constructed. No part of the garage shall be altered or adapted or used to provide habitable accommodation of any kind.
REASON: To ensure that suitable parking facilities are available to serve the development in a manner which accords with the requirements of Policy T2 of the Uttlesford District Plan.
8. C.10.7. Standard Highway Requirements.
9. No development shall commence until after the access road between the adopted public highway in Rickling Green Road and the site itself shall have been reconstructed to provide a minimum width of 4.1 metres for the first 6 metres from the highway tapering thereafter to a width no less than 3.7 metres and capable of carrying a 12.5t vehicle.
REASON: To provide an access adequate for use by fire tenders, and to enable small vehicles to pass at the entrance, in the interest of safety.
10. The public right of way in the vicinity of the site should not be obstructed or adversely affected in any way by the proposed works.
REASON: To comply with the aims of Essex & Southend on Sea Replacement Structure Plan Policy T8 - Safety.
11. No construction work shall be carried out on, nor machinery operated on, nor materials be delivered to, the site at any time on Sundays or Public Holidays, or before 8.00 a.m. or after 6.00 p.m. on Monday to Friday or before 8.30 a.m. or after 2.00 p.m. on Saturdays.
REASON: To protect the amenity of adjoining residential occupiers.

Background papers: see application file.

UTT/0056/06/FUL - GREAT DUNMOW

Erection of 10 dwellings (3 no two bedrooms, 5 no three bedrooms and 2 no four bedrooms)

Location: Land off Counting House Lane. GR/TL 628-223.

Applicant: Messrs Broyd & Thompson

Agent: Andrew Stevenson Associates

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 17/04/2006

ODPM Classification: MAJOR

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 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 and topsoil removed.

DESCRIPTION OF PROPOSAL: This application relates to the erection of 10 dwellings on the site. They would comprise a mix of properties with 3 x two bed, 5 x three bed and 2 x four bed. The proposed development would result in a density of 38 dwellings per hectare (dph).

Plot no.	Maximum ridge height	Area covered	No of bedrooms
1	7.5m	55m ²	3
2	7.2m	45m ²	3
3	8m	53m ²	3
4	7.8m	55m ²	3
5	8.3m	71m ²	4
6	8.1m	69m ²	4
7	7.7m	36m ²	2
8	7.7m	36m ²	2
9	7.8m	40m ²	2
10	8m	52m ²	3
Garage 1	3.7m	20m ²	
Garage 2	3.7m	20m ²	
Garage 3	3.7m	20m ²	

APPLICANT'S CASE: See letters dated 12 January and 28 February attached at end of report.

RELEVANT HISTORY: Outline application for erection of 24 no. two bedroom flats with all matters reserved refused January 2005, appeal dismissed September 2005. Outline application for erection of 14 dwelling withdrawn by applicant March 2005. Application for erection of 12 dwellings withdrawn by applicant September 2005.

CONSULTATIONS: ECC Highways: No objections subject to the imposition of conditions.
Water Authority: To be reported (due 7 February).
Environment Agency: Provides advisory guidance for the applicant.

ECC Schools Service: No contribution is required as the number of units is below the threshold of 12.

Building Control: No comments with regard to Building Regulations.

Landscaping: To be reported (due 31 January).

TOWN COUNCIL COMMENTS: Strongly object.

- i. The tree belt separating The Maltings from Chelmer Valley public open space is 15m wide and was planted as a condition of the development of the estate. It must be continued along the boundary with the Recreation Ground and must be on the applicant's land.
- ii. No representations have been made to the Town Council regarding the tree belt. It was noted that the tree belt shown on drawing no.10 is approximately 10m wide.
- iii. There is no provision for visitor parking. There is already a parking problem in Counting House Lane. This will further exacerbate the problem.
- iv. Over development of this small site. Any development of the site should be in keeping with the existing development of the Maltings estate.
- v. There is a parking problem in Counting House Lane due to lack of off street parking.
- vi. The proposed high density development on this site will encourage "fly parking" and worsen an already difficult situation.

In addition to the above, Members were concerned about remarks in the agents letter implying that the application was "in planning terms, now acceptable" and would receive "favourable recommendation", this before the comments from the Town Council had been received and the anomaly regarding the tree belt raised.

REPRESENTATIONS: This application has been advertised and 30 representations have been received. Period expired 10 March.

One letter received from neighbouring property at No.29 in support of the application. Main points:

- The previous concerns have now been addressed by the developers and the scheme of 10 dwellings is much more appropriate and in keeping with the area.
- All dwellings are now provided with adequate parking facilities.
- The project should now move on as the site is currently not being maintained and is an eyesore to the area.

29 letters of objection received. Main points:

1. The agent's letter is misleading – insufficient consultation was carried out prior to the application being submitted.
2. The proposed dwellings would have a poor relationship with the existing properties.
3. The proposed parking provision and turning areas within the site are insufficient.
4. The development would result in increased traffic in a quiet cul de sac.
5. The density of the development is too high and would constitute overdevelopment.
6. The removal of the planting and vegetation along the boundary is harmful to the character of the area, particularly when viewed from the recreation ground.
7. No provision for screening has been indicated.
8. The proposed garden sizes are insufficient and do not meet the required standards.
9. The development would be harmful to the listed buildings and conservation area on North St.
10. The site was originally part of a garden to a dwelling on North St and access should come from there or from the recreation ground.

COMMENTS ON REPRESENTATIONS:

- 1) Pre-application consultation with local residents can be beneficial in removing objections to proposals however this is voluntary on the part of the applicants as the Local

Planning Authority will carry out the formal consultation when determining the submitted application.

2) With regard to the Town Council's comments relating to the agent's supporting letter, it is not unusual for Officers to offer non-binding pre-application advice, particularly when a number of earlier applications have been unsuccessful. Any application subsequently submitted is fully considered in light of all comments and consultation responses and the recommendation will be made based on all the information available during the determination period.

3) The site is located adjacent to Counting House Lane and is viewed in the context of these existing dwellings rather than the North St properties and Conservation Area. The proposed development will therefore be assessed in relation to the Counting House Lane properties.

4) See also planning considerations below.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) the development of this site is acceptable in principle, (ULP Policy S1);**
- 2) 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) 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. In addition, the original approved plans for the existing residential development (Counting House Lane and The Maltings) indicates that the proposed access to this site was always intended for further development.

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 dph. The development proposes a slightly higher density on the site than exists within the existing estate at 38dph and the development would achieve a similar character to that of the existing estate.

The number of dwellings proposed on this site has been reduced from previous schemes and this has created an improved layout with the garden areas being increased in size and spacing between properties also being increased. The adopted standards for garden areas recommend 100m² per dwelling. This is a standard in guidance and not a mandatory requirement. For smaller dwellings such as two bedroom properties, it can be satisfactory to accept a reduced area depending on the location of public open space within the vicinity of the site. In this instance four of the proposed dwellings would have garden areas which would be lower than the standard although three of these would have garden areas of 95m² or 97m². The remaining dwelling would have an area of 84m² however this relates to a two bedroom dwelling and it is considered that this would amount to adequate provision for the occupiers of that property.

The revisions to the current scheme have also addressed previous concerns regarding the relationship of the new dwellings with Nos. 29 and 40 Counting House Lane. The design, form and position of the dwelling on Plot 10 has been altered to reduce the impact on the occupiers of No. 40 and it is now considered that this dwelling would not result in any material overlooking, overshadowing or overbearing impact to the occupiers of the existing properties. The dwelling and garage on Plot 1 have also been revised and it is not considered that any material overlooking, overshadowing or overbearing impact would result in relation to No. 29. The occupier of No. 29 has also written to the local planning authority, in relation to the proposed development, indicating that she has no objection to the proposal.

The majority of the proposed dwellings do not have windows indicated in the side elevations. Those that are shown are to bathrooms and could be conditioned to contain obscure glazing. The design of the proposed dwellings is acceptable with a mix of styles and designs that are not out of keeping with the existing Counting House Lane development. 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.

Works have been carried out on the site to the vegetation along the boundary with the recreation ground. This currently appears to be very sparse and views are possible between the site and the recreation ground. The application for the Counting House Lane development required a landscaping scheme to be agreed along the boundary with the recreation ground and it is considered that a landscaping scheme requiring landscaping along the boundary should also be required for this site if the application were to be approved.

3) 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 parking for the dwellings complies with the adopted parking standards and would provide a minimum of two parking spaces for each dwelling. The current standards are maximum figures in line with the Government's target to discourage the reliance on cars and car dominated developments. The site is located in a position within the town where it is possible to walk to local services and the proposed parking provision is considered to be acceptable. The proposal would comply with the requirements of ULP Policy GEN8.

CONCLUSIONS: It is considered that this revised scheme addresses the previous reasons for refusal and complies with all relevant Development Plan policies.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and approved.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Samples of materials to be submitted and approved.
6. C.7.1. Details of external ground and internal floor levels to be submitted agreed and implemented.
7. C.6.4. Excluding extensions without further permission.
8. C.8.27. Drainage details to be submitted agreed and implemented.
9. Prior to the commencement of development a scheme of landscaping to be submitted and approved relating to the boundary of the site with the recreation ground. Scheme to indicate planting along the boundary within the site area.

REASON: To protect the appearance of the site.

10. No garages to be converted without the prior written permission of the Local Planning Authority.
REASON: To ensure sufficient parking is retained on site.
11. Obscure glazing to be inserted into any windows at first floor level in side elevations.
REASON: To avoid material overlooking of adjacent properties.
12. No new windows to be inserted into the side elevations of the dwellings on Plot 1 and 10 without the prior written permission of the Local Planning Authority.
REASON: To avoid material overlooking of adjacent properties.
13. For the first 8 metres, as measured from the back of the footway, the mews court shall be restricted in width to 4.8 metres (except for the 1.5m x 1.5m x 1.5m sight splays) and contained by buildings or walls of a minimum height of 1.8 metres. The 1.5m x 1.5m vehicle/pedestrian sight splays should be provided on both sides of the access and should be adopted as part of the highway.
REASON: In the interests of highway safety.
14. There shall be no doors or other entrances onto the mews court within the first 8 metres. No windows or doors should open outwards or overflow or down pipes etc. project over the net adopted area of the court or over other areas where the public have unrestrained access.
REASON: In the interests of highway safety.
15. Where mews and mews courts are concerned, details of the proposed finished surfaces shall be submitted to and approved in writing by the Local Planning Authority, and thereafter constructed in accordance with such approved details, prior to the erection of any of the dwelling units proposed to take access there from. All statutory undertakers equipment and services shall be laid prior to the commencement of any works within the shared surface roads and thereafter the access ways shall be constructed up to and including base course surfacing in order to ensure that prior to occupation each dwelling has a property consolidated and surfaced carriageway between the dwellings and an existing highway which shall thereafter be maintained in good repair until the final surface is laid out. The final finished surface of the shared surface roads shall be laid between the dwellings and an existing highway within three months of the completion of all the dwelling units intended to take access there from or within any such extended period that may be agreed by the Local Planning Authority.
REASON: In the interests of highway safety.
16. The first six metres of any private accessway as measured from the proposed highway boundary, shall be treated with a bound surface dressing as approved in writing by the Local Planning Authority and thereafter retained in that form.
REASON: In the interests of highway safety.
17. The adoptable section of the mews shall be a shared area with no defined pedestrian zone.
REASON: In the interests of highway safety.

Background papers: see application file.

UTT/0273/06/LB - SAFFRON WALDEN

Removal of stud partitions making new openings providing new partitions to create new reception area

Location: Council Offices London Road. GR/TL 535-379
Applicant: Uttlesford District Council
Agent: Mr D B Demery
Case Officer: Mr T Morton 01799 510654
Expiry Date: 12/04/2006
ODPM Classification: OTHER

NOTATION: Inside Development Limit.

DESCRIPTION OF SITE: The premises are the offices of the Local Authority, and consist of a Grade II Listed building of three stories and basement which dates from 1865 in red brick with decorative white brick banding and stone window heads, with slate roof in High Victorian Gothic style. A modern wing in red brick stands on the west side of the original section of the building. The entrance hall has an internal three bay limestone arcade with carved capitals across the internal end separating it from the staircase, and a timber stair with pierced balusters and open timber roof.

DESCRIPTION OF PROPOSAL: The proposal involves alterations to the entrance hall of the older section of the building, which has a black and white ceramic tile floor, and a stone arch screen separating the hall from the large timber staircase leading to the upper floor. The proposal will provide a main reception area for the public, with new fitted desks and a screen behind the stone arch, with alterations including removal of sections of partition walls off the hall to connect the space to adjacent rooms.

APPLICANT'S CASE: The alterations are intended to provide an improved reception area for the Council's Services, respecting the architectural quality of the space and drawing upon the form of the building to provide an expanded reception area.

RELEVANT HISTORY: UTT/0935/88/DC and UTT/0936/88/LB Refurbish and extend existing hospital building as UDC office and Civic Centre and alteration to existing access. Demolition of C20 addition on west of building. Remove balcony across front and reinstate front facade windows and porch. Removal and replacement of iron escape staircase. Approved 07/09/1988

CONSULTATIONS: Conservation Officer: Comments to be reported verbally.

TOWN COUNCIL COMMENTS: No objections.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 14 March 2006.

COMMENTS ON REPRESENTATIONS: None.

PLANNING CONSIDERATIONS: The main issues are

- 1) Listed Building issues (ERSP Policy HC3, & ULP Policy ENV2.);
- 2) access to workplaces (Policy E3) and
- 3) other material planning considerations.

1) Policy calls for the protection of Listed Buildings, and their architectural and historic interest. This includes both internal and external features. The alterations have been designed to respect the existing features of the building and especially the entrance area, basing the design around the arched stone arcade, and introducing new screens, furniture and lighting that pick out the details of the structure. The quality of the new materials will be chosen to harmonise with and enhance those of the existing fabric.

2) The Council has policies to ensure that its premises and services are fully accessible to all users, and the new reception area is intended to attain such a service level, providing the public with level access to reception and interview areas. There are existing disability standards car parking bays immediately outside the entrance to the building.

3) No other issues are considered to arise.

CONCLUSIONS: The proposal is considered satisfactory.

RECOMMENDATION: THAT THE COMMITTEE RESOLVE THAT IT IS MINDED TO APPROVE THE PROPOSALS AND TO REFER THEM TO THE GO-EAST OFFICE FOR ITS DETERMINATION

Background papers: see application file.

UTT/0316/06/SA - TAKELEY

Variation of condition C.90I (provision of a system of windbreaks) attached to planning permission UTT/1871/04/SA for new extension and improvements to Passenger Transport Interchange

Location: Passenger Transport Interchange. GR/TL 558-235.
Applicant: Stansted Airport Ltd
Agent: Nathaniel Lichfield & Partners
Case Officer: Mr J Pine 01799 510460
Expiry Date: 24/05/2006
ODPM Classification: OTHER

NOTATION: Within Airport Development Boundary and Terminal Support Area in the Adopted Local Plan (Policy AIR1 relates).

DESCRIPTION OF SITE: The existing bus / coach station is part of the landside terminal forecourt area in the centre of the short stay car park. The application site comprises the existing canopied reception / waiting / walkway area and the open paved area behind, adjacent to the grassed bank which leads up to the established hedge adjoining the terminal forecourt access road. Either side of the open paved area are further canopied walkways leading through to the terminal building itself and the undercroft railway station. The application site contains two single storey flat-roofed metal-clad buildings on part of the open paved area; these are an electricity substation and a passenger building which includes a waiting room / toilet. In front of the canopied reception / waiting / walkway area, but not forming part of the application site, are the arrival and departure bays for buses and coaches and the layover area.

DESCRIPTION OF PROPOSALS: Members will recall that under the approved scheme (UTT/1871/04/SA), the existing canopy would be demolished and replaced by a new higher canopy that would give overarching cover to the waiting area, including the existing open paved area. There would be sufficient clearance under the canopy to shelter the front entrances to single and double-decker buses and coaches that are parked in the arrival and departure bays.

The electricity substation building would be retained out of necessity. The passenger building would also be retained in its current position as it is connected to water, power and drainage services, but would be completely rebuilt to provide ticket/check in desks, back up offices, staff restroom and toilets. Alongside, a new passenger building would be constructed to provide waiting facilities and a catering area. Further seating would be provided outside the passenger building under the canopy.

This application seeks to vary Condition C.90I of UTT/1871/04/SA for the reasons set out in the Applicant's Case section of this report.

APPLICANT'S CASE: The Wind Environment Study submitted to UDC as an appendix to the Planning Conditions Report found that:

"the frequency and speeds generated by the proposed structure are such that windbreaks are not justified on grounds of pedestrian safety and comfort....It must be added that the proposed canopy is crucial in keeping the wind environment around the coach station within pedestrian comfort and safety criteria by driving the incoming, prevailing wind over it, thus reducing speeds at pedestrian level".

In order to fully understand the need for windbreaks, the applicant proposes that after the construction of the new bus / coach station the wind environment in and immediately around it is monitored over a 12-month period, which would therefore capture all climatic conditions.

Should monitoring find that the wind environment does not meet pedestrian comfort and safety requirements, the applicant would seek to install the windbreaks subject to agreement on design with UDC. In the event that it is agreed that windbreaks are not required, this would be formalised by exchange of correspondence.

The added advantage of this approach is that by monitoring the bus / coach station and its environs in-situ, the location and type of windbreaks if required, would be better understood rather than solely relying on predictive studies at this stage.

Officers have prepared a two-page summary of the Wind Environment Study, which is attached to this report.

RELEVANT HISTORY: Full planning permission granted on 9/2/05 for the construction of a new extension and improvements to the bus / coach station to meet the requirements of the Section 106 Agreement relating to airport expansion from about 15 – 25mppa. Against officer advice, Members imposed Condition C.90I, which states:

“Details of the provision of a system of windbreaks at the north eastern and south western ends of the new bus / coach station (including evidence of their effectiveness) shall be submitted to and approved in writing by the local planning authority. The windbreak system as approved shall be constructed prior to the first use of the new bus / coach station by the public and shall thereafter be retained”.

CONSULTATIONS: None

PARISH COUNCILS’ COMMENTS: To be reported (due 27/3/06).

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 30/3/06.

PLANNING CONSIDERATIONS: **The main issue is whether the revised condition would be more appropriate, taking into account of advice on the need for a condition in Circular 11/95 (The Use of Conditions in Planning Permissions).**

The initial computer modelling carried out on behalf of BAA by WSP indicates that the new bus / coach station canopy should be effective in reducing wind speed at pedestrian level to within recognised safety and comfort criteria for walking and standing. Whilst the modelling work does highlight some benefits from windbreaks, officers are of the view that the existing condition fails the *need* test in Circular 11/95, as there is no current evidence on which to base an argument that windbreaks are essential, or that planning permission would have to be refused if the condition were not imposed. The Circular is clear that a condition should not be imposed unless there is a definite need for it, and an argument that a condition will do no harm is no justification for its imposition.

However, the computer modelling work does acknowledge that in certain circumstances there could be increases in wind speed and turbulence around the departure tunnel entrance in the 3 scenarios tested, and it is BAA’s intention to remodel the canopy so as to fully cover both tunnel entrances, rather than the partial covering previously proposed. Officers therefore consider that it would be wise to allow BAA to monitor prevailing wind conditions under the canopy for one year after first use to verify the accuracy or otherwise of the computer predictions and to fully understand what actually takes place. The computer

modelling does indicate that the windbreaks themselves might cause increases in wind speeds and turbulence at their edges, but the significance of these would also be more easily understood once the narrow and wider windbreak scenarios are re-run using actual wind data obtained during the year's monitoring.

BAA also has the opportunity over the next year to obtain some customer feedback on the operation of the new bus / coach station, and to relate this to and to feed it into the study work. Officers will be pressing BAA through the Bus / Coach Working Group of the Stansted Area Transport forum to carry out a customer satisfaction survey.

CONCLUSIONS: The proposed rewording of Condition C.90I is justified under advice contained in Circular 11/95.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.3.3. To be implemented in accordance with original and revised plans.
2. No development shall commence until details of all canopy lighting has been submitted to and approved in writing by the local planning authority. Thereafter, the development shall be implemented in accordance with the approved details unless the local planning authority gives a written variation.
REASON: To control light spillage into the surrounding area.
3. The remodelling of the coach bays and coach layover area shown as a future development phase on drawing 1312/PA 004 shall be undertaken in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority in consultation with the highway authority. The submitted remodelling details shall show how all types of bus and coach vehicles permitted under legislation in force at that time would be accommodated.
REASON: In the interests of highway safety and to ensure that possible fleet upgrades are taken into account during the remodelling process.
4. The remodelling referred to in Condition 3 shall not be undertaken until a landscaping scheme for the coach layover area shown on drawing 1312/PA 004 has been submitted to and approved in writing by the local planning authority. The landscaping scheme as approved shall be implemented in full during the first planting season following the first use of the remodelled coach layover area. Any trees or shrubs, which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.
REASON: In the interests of the visual appearance of this prominent site in front of the terminal building.
5. No development shall commence until a plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority showing the provision of a dedicated bay or bays and help points for wheelchair access onto and off buses and coaches. Thereafter, the development shall be implemented in accordance with the approved plan unless the local planning authority gives a written variation.
REASON: In the interests of the safety of passengers using wheelchairs and their helpers.
6. Details of an air filtration system for the waiting area indicated with the number 1 on drawing 1312/PA 006 shall be submitted to and approved in writing by the local planning authority. The system as approved shall be installed and made ready for use prior to the first use of the waiting area by the public.
REASON: In the interests of passenger convenience.
7. The public toilets indicated with the numbers 8 and 10 on drawing 1312/PA 006 shall be made available for use prior to the first use of the new bus / coach station by the public and shall thereafter be retained.

- REASON: In the interests of passenger convenience.
8. A scheme for the display of travel information within the new bus / coach station shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be installed and made ready for use prior to the first use of the new bus / coach station by the public and shall thereafter be retained.
- REASON: In the interests of passenger convenience.
9. No development shall commence until details of how existing bus and coach services will continue to operate during the construction period of the new bus / coach station have been submitted to and approved in writing by the local planning authority. The development shall subsequently be carried out in accordance with the approved details.
- REASON: In the interests of passenger convenience.
10. i) Prior to its first use by the public, details of a study to monitor the wind environment in and immediately around the new bus / coach station shall be submitted to the local planning authority for approval. The study as subsequently approved in writing shall be undertaken for a period of 12 months from that date of approval.
- ii) Details of the findings of the study, together with any recommendations of measures for improving passenger comfort and an implementation programme shall be submitted to the local planning authority for approval within 3 months from the conclusion of the study. The submitted details shall include an assessment against recognised (Lawson) criteria as to whether windbreaks are required at the north eastern and south western ends of the new bus / coach station to improve passenger comfort.
- iii) Any measures for improving passenger comfort as subsequently approved in writing shall be implemented in accordance with the implementation programme and permanently retained and maintained.

Background papers: see application file.

UTT/0215/06/FUL - SAFFRON WALDEN

(Referred by Cllr Bayley)

Proposed single storey side/rear extension. Alterations to front dormer window
Location: 14 Longhedges. GR/TL 540-381.
Applicant: Mr & Mrs S Lett
Agent: Mr J Denn
Case Officer: Mrs K Hollitt 01799 510495
Expiry Date: 05/04/2006
ODPM Classification: OTHER

NOTATION: Within Development Limits/Adjacent to Conservation Area/Adjacent Listed Building.

DESCRIPTION OF SITE: The application site is located to the north of Station Road on the eastern side of Longhedges. The property is a detached chalet bungalow with a detached garage of substandard construction located to the rear of the site. The front boundary is a low wall. The side boundary is a fence. Part of the rear boundary is a red brick and flint wall which runs along the boundary of the properties in Alpha Place, to the east of the site. To the north is a detached chalet bungalow which has its detached garage adjoining the garage to the garage within the application site.

DESCRIPTION OF PROPOSAL: The proposal relates to the erection of a single storey side extension and the alteration of the front dormer window. The extension would have a frontage of 4.85m, with an additional 2.55m providing an open porch. The extension would have a side elevation of 12.3m, an eaves height of 2.5m and a ridge height of 4.5m. It is proposed the extension would be approximately 2.4m from the rear boundary flint wall and its closest point would be approximately 0.85m from the side boundary. It is proposed to remodel the interior of the dwelling (which does not require planning permission) and relocate the lounge to the first floor. This would require the existing dormer window to be remodeled to provide a lower cill height.

APPLICANT'S CASE: See applicant's case dated 5 February 2006 attached at end of report.

RELEVANT HISTORY: Two previous applications for side and rear extensions withdrawn following negotiations due to the potential adverse impact on residential amenity the proposals would have had. Previous application for side and rear extensions refused 7 December 2005 on the grounds of adverse impact on residential amenity of adjacent properties; detrimental impact on setting of listed buildings; adverse impact on setting of conservation area.

CONSULTATIONS: Archaeology: No archaeological recommendations.

TOWN COUNCIL COMMENTS: No objections.

REPRESENTATIONS: This application has been advertised and 3 representations have been received. Period expired 23 March 2006.

Can see no problem with proposed alteration. Only concern is that sufficient off-road parking be provided.

Note the proposed 'finished' building will be double the size of that of original building. Has to be overdevelopment of such a small site. Detrimental to our amenity especially with all of

the new works bordering our southern boundary. New extension is still too close and still too high and now even longer. Still confronted with a mass of brickwork that will cause loss of natural light and winter sunlight. Proposed demolition of garage causing health and safety concerns. Flint wall listed and any deep excavations for building foundations could cause damage. Plans show virtually all the original internal walls removed; chimney stack removed; kitchen and lounge relocated and all original windows and doors altered. Are two planned parking spaces within curtilage enough? On street parking in the area is a serious issue that needs to be addressed at the planning stage.

Still opposed to extension as it will be too near the listed flint wall. Loss of sunlight and light. This extension will be completely out of character by being crammed into such a small space.

COMMENTS ON REPRESENTATIONS: Some concerns raised in the representations relate to issues within the Party Wall Act, which are outside the scope of the consideration of the planning application. Should planning permission be granted, this does not overcome the requirements of the applicant to comply with other legislation where relevant, including the Party Wall Act. Internal alterations and altering windows and doors does not constitute development and therefore does not require planning permission.

PLANNING CONSIDERATIONS: The main issues are whether the proposed extension is of suitable design for this location (ERSP Policy HC2, HC3, ULP Policies S2, H8, GEN2, ENV1, ENV2) and whether any amenity issues are raised (ULP Policy GEN2).

The proposed extension would be single storey in height and would appear subservient to the main dwelling. The proposed roof shape at the front of the extension reflects similar roof forms on previously extended properties within Longhedges. It is proposed to construct the extension of matching materials to the main dwelling. Whilst these materials are not the high quality materials normally required for development within a conservation area, it is not considered that the use of matching materials would have an adverse impact on the character and setting of the adjacent conservation area, particularly given the low-lying form of the development. The proposed extension has been designed to minimise the impact of the development on the setting of the adjacent listed buildings and conservation area and it is not considered that the proposed extension would have a detrimental impact on these elements. As such, it is considered that the proposals would satisfy the criteria of ERSP Policies HC2 and HC3 and ULP Policies ENV1 and ENV2.

The proposed extension would be in keeping with the general character of the area and the existing dwelling. The proposed small element of flat roof is necessary in order to accommodate an appropriate form of roof for the majority of the scheme. This flat roof element should not be visible within the street scene due to the shaping of the roof. The extension should not appear dominant or out of keeping, indeed it reflects similar extensions within Longhedges, and as such complies with ULP Policies S2 and H8.

The main concerns from neighbours is the potential impact of the proposed extensions on their respective properties and their amenity. It is considered that the proposed extensions have been designed so as to minimise the potential impact on the residential amenity of adjoining properties. The occupier of the property to the east of the application site has expressed concerns regarding potential loss of light to their property. The proposals would not result in any loss of light to the habitable rooms of this property. There may be a degree of overshadowing of the garden area to the property to the east, but this should not be so detrimental as to warrant refusal of the scheme. The proposed side extension should not have an adverse impact on the residential amenity of the property to the north due to the orientation of the properties. In addition, this extension would be adjacent to the driveway and garaging area to the property to the north, and it is not considered that this should adversely affect the residential amenity of the occupiers of this property. The proposed side

elevation windows would serve bathrooms and these would be obscure glazed, which can be controlled by condition. The proposals should not result in any detrimental overshadowing or overbearing issues.

The proposals would result in the creation of a three bedroom property, for which there would be a requirement of 2 parking spaces. This provision is indicated on the submitted drawings and therefore the proposals satisfy the requirements of Council's parking standards. Overall it is considered that the proposals comply with the criteria of ULP Policies H8 and GEN2.

CONCLUSIONS: The proposals satisfy the policy criteria and are considered acceptable.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development (3 years).
2. C.3.2. To be implemented in accordance with revised plans.
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building, unless otherwise agreed in writing with the local planning authority. Subsequently, the external surfaces shall not be changed without the prior written consent of the local planning authority.
REASON: To ensure the development does not detract from the character and setting of the adjacent conservation area and listed buildings.
4. C.11.7. Provision and retention of parking spaces shown on plan.
5. C.19.1. Avoidance of overlooking – obscure glazing to side bathroom windows; no further side facing windows or rooflights to extension without written consent.

Background papers: see application file.

UTT/0112/06/FUL - FELSTED

(Referred at Member's request: Cllr Gregory)

Erection of ground floor rear extension and second storey roof extension incorporating dormers and velux roof lights together with new front porch and a replacement garage

Location: Rooksdown Chelmsford Road. GR/TL 680-197.

Applicant: Mrs J L Hadfield

Agent: Andrew Stevenson Associates

Case Officer: Mr Y Falana - 01799 510464

Expiry Date: 20/03/2006

ODPM Classification: OTHER

NOTATION: Within development limits.

DESCRIPTION OF SITE: The site comprises a small red brick built bungalow under a pitched tile roof with conservatory style extension to the rear and a single storey garage (outbuilding) with flat roof construction, located within a rectangular shaped plot of approximately 45 metres in depth by 17 metres in width. A gravelled parking area sufficient to accommodate a couple of vehicles forms the area to the front of the bungalow and a private garden area with a number of trees to the rear, which back onto open countryside.

Adjoining the site on both sides are dwellings known as 'Carisbrooke' to the right (north), and 'White Gates' to the left (south); and the open countryside both to rear and to front across the village B1417 Chelmsford Road at Felsted Causeway End. The dwellings along this stretch lie predominantly in a linear fashion and comprise mainly detached properties set within sizeable plots.

Carisbrooke is a chalet style bungalow with two (2) single storey garages arranged in a linear pattern and separated by a small enclosed yard area. One of the garages is set forward and the other positioned rearward of the main dwelling footprint. Both garages abut the boundary with the application site. White Gates is a bungalow on a relatively large footprint.

The site is relatively level and has the same ground level as the adjoining dwellings. The existing dwelling is set back from the B1417 Chelmsford Road by about 10m. Properties along the road are set back by similar distances and all in the locality have ridge lines parallel to the road they front.

The site is screened at the boundary with 'Carisbrooke' by a 1.2m fence with Laurel and shrubbery planting, a 2m high close boarded fencing stretching some 3m, a garage stretching approximately 1.8m, a 3.3m high wall stretching some 7m and a 1.8m high fence to the rest of the garden. The boundary with 'White Gates' has a 1.2m boarded fence stretching some 3m and a 1.8m close boarded fencing to the rest of the garden. The site has several trees with one Eucalyptus tree half way down the rear garden bordering Carisbrooke and conifers bordering the countryside at the back.

DESCRIPTION OF PROPOSAL: The application is a re-submission following refusal of permission for previous scheme under ref. UTT/1743/05/FUL and seeks permission for erection of ground floor rear extension and second storey roof extension with dormers and velux roof lights, together with a replacement garage. New front porch. It would form a new first floor by constructing a new roof with dormers to a roof line of 6.8m high which represents an increase of 1.3m above the existing. The existing ground floor rear conservatory would be demolished and the footprint of proposed ground floor extension to

rear will project out approximately 1m from the existing. The proposed ground floor rear extension would have a ridge height of 5.2m and would incorporate a 1.3m by 1.8m windows in the kitchen area and 2m high French doors in the living room area to provide access to the rear garden.

The proposed front elevation would incorporate two roof dormers and rooflights together with a new pitched roof front porch of 4m ridge height and 2.5m width to replace the existing flat roof porch. A roof dormer would be incorporated to the rear facing elevation. The side south easterly facing elevation incorporates a dormer window with two roof lights in the north westerly elevation of the master bedroom. These roof lights have a cill height of 1.7m above finished floor level to avoid material overlooking.

The external walls will be finished in a smooth render and all roofing will be surfaced by Redland plain tiles. All joinery will provide white finishing.

The proposal will allow the residential accommodation to be increased from two to four bedrooms (one with en-suite facilities).

The existing single storey detached garage (outbuilding) under a flat roof, located southerly adjacent and 2m away from the boundary, and with similar building line at the rear of the built form of neighbouring dwelling 'White Gates', would be replaced by a single storey garage under a pitched roof and would be surfaced with plain tiles and clad in weather boarding. It would be 3.5m high to ridge level, 5.2m deep and 3.3m wide.

APPLICANT'S CASE: E-mail correspondences dated 22-12-2005, 07 & 09-01-2006, 07-02-2006 and 17-03-2006 together with the Agent's letter of 13-03-2006 have accompanied the application. The specific amendments introduced on their revised plans include:

- reducing the bulk and size of the second storey roof extension;
- lowering the height of the main roofline;
- removal of a roof dormer together with the two side windows in the first floor; bedrooms to the side elevation facing White Gates;
- reducing the ridge height of the replacement garage.

The e-mail correspondence dated 17 March 2006 expresses willingness of the applicants to remove the proposed garage from the application if delegated approval can be assured. They indicated further that if delegated approval cannot be obtained with the removal and the application has to go before the Council's Development Control Committee, then they would like the garage to be returned to the application.

RELEVANT HISTORY: The planning application under ref. UTT/1743/05/FUL was submitted for a proposed two-storey rear extension and alterations and a first floor extension with new roof form and replacement garage. The application was refused permission on 20 December 2005 for reasons of excessive bulk in the design, material loss of sunlight to the neighbouring property and unacceptable degree of overlooking.

CONSULTATIONS: None.

PARISH COUNCIL COMMENTS: Felsted Parish Council: Objections raised to the application and the following comments made:

"Councillors can see no improvement in overshadowing of neighbouring properties with the revised plans only a counterbalanced roof line to the extension, one up and one down. Object strongly to an extension in any form."

Further re-notifications were made 7 March 2006 and 15 March 2006 and notification period expired 17 March 2006, following submission by the applicants of their revised plan received 21 February 2006 and 15 March 2006. Objection registered to an extension in any form.

REPRESENTATIONS: Two letters of objection have been received from neighbouring households. A letter dated 23 February 2006 from Cllr David Gregory has also been received 27 February 2006, raises objections to the application and requests that the application be determined by the Development Control Committee and asks for a site visit if necessary, if officers are minded to recommend approval. The objections from adjoining residents at 'Carisbrooke' and 'White Gates' can be summarised as follows:

- Effects of overshadowing.
- Detrimental effects on the daylight and privacy of adjoining properties.
- Excessive size in relation to the original dwelling.
- Out of keeping with the property's original character
- Result in noise and disturbance.

Further neighbour re-notifications were made 7 March 2006 and 15 March 2006, following submission of revised plans received 21 February 2006 and 15 March 2006. The objections from adjoining residents received can be expressed as follows:

With regard to comments from neighbour at 'Carisbrooke' received 12 March 2006,

" This is the third time I have written regarding a proposed restructuring of the neighbouring property 'Rooksdown' whereby an extension of any height beyond and above the acceptable existing extension would overshadow my property, Carisbrooke', with disastrous effect.....Fortunately, I was quickly able to deduce from the plan that very little change in the roofline of the extension had taken place when compared to the original application which had been refused.....I have produced cut outs from 3 plans submitted which clearly shows the roofline in each case to be excessively overshadowing my property.....As stated previously, I strongly object to any rear extension beyond the existing development line....."

With regard to comments from neighbour at 'White Gates' received 13 March 2006,

"...I still believe 'Rooksdown' should remain a bungalow. The size of the property is excessively large in relation to the original property and there is a dearth of these dwellings in the village. With an ageing population they will be sadly missed.....The garage is still my main problem with a new height of 14 feet and only 8 feet from my window, this will result in a drastic loss of light and could mean having our lights on during the day. My wife is disabled and spends a lot of her day in the lounge doing just that. I do not see why the garage cannot remain with a flat roof, tiled and sloped as now. I cannot even re-site my side window as the garage runs the whole length of my lounge. Maybe the garage could be re-sited at the front of the property as was done at 'Bosworth', the property on the south side of my house.....The rear bedroom has two velux windows and one dormer window, which look down into my kitchen. Two of the three smaller bedrooms have two windows. This result in two more looking into my home.....May I suggest that the new building could be brought forward a few feet possibly solving the problem at the rear of the property and the garage could then be attached at the front side of 'Rooksdown', providing it does not extend back as far as my kitchen window.....It could also protect us from the noise and fumes infiltrating our kitchen."

Councillor David Gregory sent a letter by e-mail attachment on 18-03-2006 expressing that both neighbours to Rooksdown are still unhappy with the revised proposals and feel that there is a suggestion of bullying in the comments made by the applicants on the treatment of the garage with regard to referral of the case to Council's Development Control Committee.

COMMENTS ON REPRESENTATIONS: These representations will be addressed in the planning consideration below.

PLANNING CONSIDERATIONS: The main issues are whether this current proposal overcomes the reasons for refusal of previous proposal (UTT/1743/05/FUL); and thus, whether

- 1) whether the proposed development would relate to existing pattern of development and of a scale and siting sympathetic to the rural landscape in accordance with national, county or regional and local development plan policies (ODPM PPS (7); ERSP Policies C5 and CS2; and ULP Policy S7);
- 2) whether the design, bulk and external materials respect those of the original building in accordance with the local development plan policies relating to 'Home Extensions' (ULP Policies H8 and GEN2) and
- 3) whether the proposal would minimize detrimental effects on neighbouring residential amenity (ULP Policy GEN4).

Policies enshrined the Essex and Southend-on-Sea Replacement Structure Plan (adopted 2001) Policies C5 and CS2, and Policy S7 in the Uttlesford Local Plan (adopted 2005) commonly seek to safeguard and enhance the appearance of the rural environment including conserving the countryside character.

Policy H8 (Home Extensions) and Policy GEN2 (Design) in the Uttlesford Local Plan require the development proposal to reflect the size, scale, appearance and design of the original dwelling. Policy GEN 4 seeks to minimize the significant adverse effects on neighbouring properties.

The current proposal provides a detached one-and-a-half (1½) storey chalet style bungalow, generally observed to be a familiar development feature within existing pattern of development in the rural settlement moreso when the immediate locality evidently depicts a significant mixture of single storey and chalet style bungalows set on large plots.

The previous scheme was refused for two principal reasons of unacceptable high roofline and excessive size of the extension in relation to the original dwelling; and also, its significant detrimental effects on neighbour's amenity. In terms of the specific revisions on the applicants' submitted amended plans, these will be considered in turn to assess their acceptability based upon the prevailing development plan policies.

1. Size and bulk.

The previous scheme would have provided a second storey roof extension, spanning across the entire ground floor rear extension which would have resulted in creating an additional floor area of approximately 109sq.m over the existing floor area of 105sq.m, representing more than 100% increase in the aggregate floor area of original dwelling. Whereas, the revised scheme would result in creating an additional floor area of 70sq.m approximately, representing an overall increase of nearly 66% in total floor space of original dwelling. In terms of the footprint, the revised proposed ground floor rear extension would create an increase of approximately 14sq.m over the existing 111sq.m, representing an increase of roughly 13% of original dwelling which is considered a modest addition.

The roof height of the proposed extension in the revised plan has been reduced further by 300mm to fetch a new ridge height of 6.8m, which is lower than the 7m ridge height of the adjoining dwelling 'Carisbrooke'.

The footprint of the new pitched roof front porch would be similar to the existing flat roof front porch. The ridge height of the replacement garage in the revised plan has been reduced by 800mm to 3.5m.

The number of dormers located within the roof plane has been reduced. The two dormers located in the bedroom to rear, have been reduced to one dormer with provision of two roof lights to provide additional daylight. On the balance, the size and bulk of the proposed extensions would respect the scale of existing dwelling and neighbouring properties and would address the concerns of the neighbour at 'Carisbrooke' on the cumulative overbearing effect of the extension.

2. Effects on neighbour's amenity.

By virtue of removal of the two windows and a dormer located in the rear bedroom at the side elevation facing the neighbouring property 'White Gates', the revised plan would result in reducing overlooking onto the living accommodation and rear garden of 'White Gates'. The window in the en-suite compartment of the master bedroom facing the neighbouring 'Carisbrooke', will be obscure glazed to avoid overlooking.

With the reduction in the ridge height to 3.5m of the replacement garage which is located southerly adjacent and 2m away from the boundary facing 'White Gates', the concerns of the neighbour at 'White Gates', would appear to be surmounted given that the boundary to the bottom of the garden is close boarded fencing of 1.8m high. The bottom of the site garden has several conifers which will minimize the visual impact of the development.

3. Other considerations on materials, design and street scene.

The second storey roof extension will be surfaced with plain tiles to match existing. The external walls to front porch together with the ground floor will be rendered smooth throughout. The arrangement of the dormers and roof lights within the roof plane of the front elevation form a symmetrical pattern of design set around the pitched roof of front porch. Similarly, the size and pattern of glazing bars of windows are uniform throughout and in keeping with surrounding properties. The replacement garage will be weather boarded and the roof will be clad with plain tiles to match those of the main dwelling and neighbouring properties. The suggestion by the neighbour at 'White Gates' to re-position the garage at the front of the property as was done at 'Bosworth', has been carefully considered. Officers have come to the conclusion that doing so may harm the uniform pattern of building line long established by the properties along this stretch within the immediate locality. The proposed development would greatly improve 'Rooksdown' and enhance its visual appearance and character of the street scene.

CONCLUSIONS: In summary the application should be approved because it would have no adverse impact on the character of the surrounding rural area and the countryside. It would be of a satisfactory design, subject to appropriate planning conditions, and would have no significant adverse impact on the amenities of adjoining properties.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.2. To be implemented in accordance with approved revised plans.
3. C.5.2. Details of materials to be submitted and agreed.

4. C.19.1. Avoidance of overlooking.
5. No additional windows in side elevations.
6. C.4.1. Scheme of landscaping to be submitted and agreed.
7. C.4.2. Implementation of landscaping.
8. C.4.4. Retention/replacement of trees.
9. C.4.5. Retention of hedges.
10. C.4.9. Gravel floorscaping.

Background papers: see application file.
