

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 26 APRIL 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: 5 April 2006 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: REFUSAL
Case Officer: Mr T Morton 01799 510654
Expiry Date: 13/03/2006

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 3.2m 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 3.3m 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/0259/06/FUL - FELSTED

Demolish existing dwelling and erect two, one bedroom dwellings and ten, two bedroom dwellings. Alteration of vehicular and pedestrian access

Location: The Gables, Garnetts Lane. GR/TL 683-207.

Applicant: Merrybell Ltd

Agent: LAP Architects

Case Officer: *Mr M Ranner 01799 510556*

Expiry Date: 17/05/2006

ODPM Classification: MAJOR

NOTATION: Within Development Limits.

DESCRIPTION OF SITE: The application site, which is situated at the eastern end of the village of Felsted, comprises a single detached dwelling house and associated outbuildings set within a relatively spacious plot of approximately 0.19 hectares in size. The dwelling house is of traditional design with front facing gables and has been extended in the past and now has ground floor flat roof extensions to both the side and also the rear elevation adjacent to the sites northern boundary. A detached pitched roof garage building and smaller out building to the rear are located adjacent to the sites southern boundary and vehicular access is gained via a concreted driveway also adjacent to the site's southern boundary. The remainder of the site comprises domestic landscaped gardens with mature trees located towards the eastern (rear) boundary. Detached and semi detached dwellings set in reasonably spacious plots adjoin the site boundaries except for the western (front) boundary, which faces the Garnett's Lane and open school fields beyond.

DESCRIPTION OF PROPOSAL: The application represents a revised scheme following the earlier withdrawal of planning application UTT/1393/05/FUL. It proposes the demolition of the existing dwelling and outbuildings and erection of a two-storey residential block comprising 2 one-bedroom and 10 two bedroom units in a mix of apartments and maisonettes. The existing access into the site is also to be altered and a new access created more centrally within the site. The design attempts to replicate elements of the existing dwelling with the use of gables on the front elevation and proposes the use of both stock brick and a smooth render finish to the elevations. Two projections extend to the rear of the main building adjacent to both the southern and northern site boundaries. The projection adjacent to the northern boundary is of single-storey construction only although the southern projection provides two-storey accommodation. These extend the depth of the building to 21.5m on its northern elevation and 28.5m on its southern elevation. The building will occupy nearly the full width of the site except for a space of 1.8m, which will be retained between the flank elevations of the building and the northern boundary and 2m on the southern boundary. The main body of the building varies in height between approximately 8.5 to 9.5m above finished ground levels, which exceeds the height of the existing dwelling by approximately 2m. Both bin and cycle store buildings are proposed to be sited to the front of the building facing the highway and vehicular access into the site is to be gained via a central access point and through an arch located centrally within the building. This leads to a parking area to the rear comprising of 18 spaces. The remaining areas to the front and rear of the building will function as amenity areas. The development will represent a density of approximately 61 dwellings per hectare.

APPLICANT'S CASE: A detailed supporting statement accompanies the application. The summary/conclusion to this is replicated below:

- The scheme is not cramped or congested and does not "suffer" from a poor relationship with adjoining properties. Reason-it has sensible, well designed

proportions that replicate Almshouses from the frontage view from Garnett's Lane. It has the support of Barbara Bosworth. Both rear flanks, have excellent separation and distances and within splay lines from adjoining properties.

- When viewed on the site plan, which has various dotted lines to indicate the footprint of the existing dwelling and outbuildings, the proposed scheme replicates and indeed overlays by not a significant margin, more than what is already there.
- We have a scheme of one and two bedroom apartments and maisonettes with sufficient off road parking and amenity, that caters for a wide variety of both young and old, in a village which has a tiny amount of small accommodation available.
- The scheme has the support of Barbara Bosworth and sits comfortably within its cartilage, with some genuinely decent distances from neighbouring properties.
- The distance from ground level to the ridge is approx 1m higher than the ridge height of Globe House-the only real and sensible reference point in terms of comparison of height.
- The vehicular access point is now in a better location.
- Visually what you will see as you walk or drive up Garnett's Lane from both directions, is what appears to be four small Almshouses. With the southern rear flank obscured by planting and the northern flank, not visible at all.

RELEVANT HISTORY: This application follows a similar application on the site ref: UTT/1393/05/FUL which proposed a residential development of 12 no two bedroom apartments, alteration of existing vehicular and pedestrian access to the highway. The application was due to be considered at the Committee meeting scheduled on 2 November 2005, where it was recommended to be refused by officers, however it was withdrawn by the applicant prior to the meeting.

CONSULTATIONS: Environment Agency: No objections with regard to the application forwarded a standard advice letter.

Essex County Council Learning Services: Respond to consultation, but only comment that they were forwarded plans that were surplus to their requirements.

ECC Highways: No objection subject to the imposition of the following conditions:

- No occupation of the development shall take place until such a time as the following have been completed to the satisfaction of the Highway Authority. The payment of a financial contribution in the sum of £24,000 index linked to fund highway improvements in the vicinity of the site, to include such measures as the provision of a pedestrian crossing in Garnett's Lane, traffic calming measures along Garnett's lane and improvements to the white lining at the junction of Braintree Road.
- The vehicle access at the site boundary should be 5.5m in width tapering down to 4.1m over the first 6m and served by way of a dropped kerb crossing.
- There should be no obstruction above 600mm in height within the area of a 2.4 by site boundary visibility splay.
- Where the surface finish of the private 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.
- There should be no obstruction above ground level within the area of 1.5 x 1.5m pedestrian visibility splays required adjacent to the access, set relative to the back of footway.
- Provision of secure parking for powered two wheeled vehicles to accord with the Essex Planning Officers Associated Parking Standards 01. There should be appropriate internal footway links to the bin store from the main building.
- The existing access, located at the southern boundary, 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.

- The gates to bin store should be set back from the footway sufficiently to allow the gates to open outwards, but to not obstruct the visibility splay from the main access road.
- All access to the covered cycle store should be via the internal layout with no direct access onto Garnett's Lane, with appropriate internal footways linking the cycle store to the main internal access road.

Building Control Section: Makes the following comments: "Travel distances from units 5 – 12 to the bin store exceeds 30m recommended in building regulations – additional facilities may be required."

PARISH COUNCIL COMMENTS: Objects on the following grounds: "Cllrs have several objections to this application namely, over development, insufficient parking spaces whereby street parking would result in a very narrow and busy street, finally, the additional traffic resulting from such a large development close to a dangerous junction would be hazardous."

REPRESENTATIONS: This application has been advertised and 27 representations have been received from local residents. These are all objections, which can be summarised as follows:

- The proposed development will be out of keeping with the character and form of development in the locality
- The density of the development is excessive and represents an over development of the site.
- The introduction of flats to the area will substantially change the character of the area.
- The extra traffic likely to be generated by the development will be detrimental to highway safety on the roads in the surrounding area.
- The parking to the rear and increased number of residents in the locality is likely to result in noise disturbance to existing residents.
- The proposed development will cause harm to neighbouring residential amenity by virtue of loss of privacy, outlook and loss of daylight and sunlight.
- If permitted the development will set a harmful precedent elsewhere within the village.
- The proposal does not enhance the village environment.
- It is overbearing and out of scale with neighbouring properties.
- The development is to be sited in front of the building line.
- The necessary artificial lighting will be intrusive to neighbouring residents.
- The development will result in extra noise and pollution.
- The proposal does not allow for emergency vehicle access.
- The central access drive is not of two-car width, which is likely to cause traffic problems in Garnett's Lane.

COMMENTS ON REPRESENTATIONS: These will be addressed as part of the considerations to this report.

PLANNING CONSIDERATIONS: The main issues are

- 1) whether the proposal is in keeping with the character and appearance of the surrounding area. (ULP Policies S3 & GEN2),
- 2) the impact of the proposed development on the residential amenities of neighbouring properties. (ULP Policies GEN2 & GEN4) &
- 3) the likely affects of the proposal on highway safety. (ULP Policy GEN1).

1) The application site comprises an existing residential property situated within the development limits of Felsted. In accordance with policies S3 of the local plan the principle of

developing the site for residential purposes is acceptable. In this particular case the area surrounding the site is residential in nature and is largely characterised by detached and semi detached dwellings set in reasonably spacious plots. Garnett's Lane to the front of the site is tree lined and borders the open playing fields associated with Felsted School to the west. Consequently the area is rural in character and the locality positively contributes to the attractive countryside setting of the village and indeed the playing fields directly opposite the site form part of a conservation area. The existing dwelling, although reasonably large, sits comfortably within the plot and contributes to the established character of the area. The main bulk of the existing building is restricted to the original part of the dwelling and a significant part of the current building's width comprises a subservient ground floor flat roof side extension. Even taking this into account a space of approximately 4.5m exists between the flank elevation of the dwelling and the northern boundary and 12.5m exists on the southern side of the dwelling, although this part of the site does accommodate a garage building. The proposed apartment building attempts to replicate the gabled frontage of the existing dwelling and in this respect the detailing is acceptable. However, the height (8.4 to 9.4m), scale and massing of the building significantly exceeds that of the existing dwelling and the adjacent pair (scales at 7.2m) with the building would occupy nearly the full width of the plot except for a space of 1.8m and 2m retained adjacent to each side boundary. As a consequence, the proposed building will appear cramped and congested within the site, dominant within the street scene and of excessive scale in relation to the scale and form of neighbouring development in the locality contrary to policy GEN2 of the Local Plan. In this context officers consider that the development represents an over development of the site which would be out of keeping and detrimental to the rural character of the locality. This notion is strengthened when the proposed density of the development is examined. At approximately 61 dwellings per hectare, this exceeds the 30 to 50 dwellings per hectare advocated by Planning Policy Guidance Note 3 'Housing' (PPG3). Government advice does not preclude all development that exceeds this density range however does indicate that this should only be exceeded where development is proposed in places with good transport accessibility such as city, town, district and local centres or around major nodes along quality public transport corridors. The location of the application site within a village in a countryside setting where public transport links are limited is therefore an unsuitable location to accommodate a development of the proposed density. Furthermore, in appeal decisions Inspectors have made it clear that higher density should not be sought at the expense of the character of the area and other normal planning issues.

2) The rear projections of the building are sited adjacent to both the northern and southern boundaries of the site and face neighbouring residential properties. There are no windows close to either respective boundary that will directly overlook neighbouring properties apart from a number of roof lights although these are sited above eye level. Officers are also satisfied that the development will not give rise to any overshadowing, loss of daylight/sunlight or outlook. The ground floor rear projection adjacent to the northern boundary merely replaces an existing single-storey extension which extends 4.5m beyond the depth of that proposed and 2m closer to the boundary. The pitch roof of the rear projection does exceed the height of the existing extension by 1.5m although the ridge of the roof at its highest point is sited approximately 5.5m from the boundary of the neighbouring property. The rear projection adjacent to the southern boundary is of considerable depth and height and will be visible particularly from the rear of those properties fronting Braintree Road. The rear gardens of these properties are of a generous depth at approximately 32m and as these properties are to the south of the development the affects on amenity will not be significant. Residents have also raised concerns regarding general noise disturbance likely to emanate from the development once occupied. Officers consider that with an increased number of residents in the locality and the number of car movements associated with the development, incidents of noise are likely to increase, although there are no reasons to suggest that this would be to a degree that would cause disturbance whereby the amenities of neighbouring properties would be significantly harmed and thus warrant the

refusal of this application. Individual instances of noise from future residents could of course be appropriately dealt with if needed by the Council's Environmental Services Department. Concerns regarding light pollution could be overcome if necessary by the imposition of appropriate condition to control all external lighting likely to be associated with the scheme.

3) With regard to matters of highway safety, the Highways Authority raises no objections to the application and to mitigate the impacts of the development on Garnett's Road and nearby roads advises the imposition of a number of conditions and the formulation of a section 106 legal agreement to secure a financial contribution towards highway improvements. In accordance with specialist advice and Government Circular 11/95 'Conditions' and policy GEN1 of the Local Plan, the proposal is acceptable in these respects however this does not outweigh the resultant harm to visual amenity. Parking provision is adequate and accords with the council's maximum parking standards and targets as set within PPG 3 'Housing', which advises that development with more than 1.5 off-street car parking spaces per dwelling are unlikely to reflect the Government's emphasis on securing sustainable residential environments.

CONCLUSIONS: For the above reasons officers consider that the proposed development will cause harm to the appearance and rural character of the area by virtue of the buildings excessive size, scale and massing and resultant cramped and congested appearance within the site. The other matters raised in this report are not considered to outweigh the policy case in favour of refusing this application and so I make the following recommendation.

RECOMMENDATION: REFUSAL REASON

The proposal represents an over development of the site by virtue of its cramped and congested layout and poor relationship with adjoining development and would if permitted be out of character with the form and density of existing development in the area, contrary to the aims and objectives of policies S3 and GEN2 of the Uttlesford Local Plan.

Background papers: see application file.

UTT/0244/06/FUL - STEBBING

Single storey detached timber framed building for pre-school
Location: Stebbing Primary School. GR/TL 661-244.
Applicant: Ms M Wisbey
Agent: Ms M Wisbey
Case Officer: Miss K Benjafield 01799 510494
Expiry Date: 24/04/2006
ODPM Classification: MINOR

NOTATION: Main school buildings located within Development Limits / Proposed application building located outside Development Limits.

DESCRIPTION OF SITE: The site is located in the centre of Stebbing and covers an area of 1.15ha. From the boundary adjacent to the road, the site contains a car parking area, playground and then the main school buildings with swimming pool behind. These areas and buildings are located within the Development Limits for Stebbing. To the rear of these buildings is a relocatable classroom and playing fields which are situated outside the Development Limits for Stebbing. From the front of the site, the area to the rear is not visible however the land adjoining the north, south and eastern boundaries consists of open fields and there is a network of public footpaths which provide views to the site across the open countryside.

DESCRIPTION OF PROPOSAL: This application relates to the erection of a detached single storey building to provide a pre-school facility on the site. The building would cover an area of 177m² and would have a maximum ridge height of 6.8m. It would be located adjacent to the existing swimming pool enclosure and relocatable classroom to the rear of the main school buildings.

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

RELEVANT HISTORY: Various applications determined by the County Council relating to relocatable classrooms 1977 – 2003. Applications in 1968 relating to swimming pool on the site.

CONSULTATIONS: Building Control: There does not appear to be access for fire fighting vehicles to the building. This would be a major Building Regulation problem. Applicant to be contacted by Building Control.

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

Environment Agency: To be reported (due 21 March).

Environmental Services: To be reported (due 14 March).

PARISH COUNCIL COMMENTS: To be reported (due 30 March).

REPRESENTATIONS: This application has been advertised and 2 representations have been received. Period expired 30 March.

1. I want to show my support for the proposed pre-school nursery. It will be a great boost for the Village to have a pre-school facility, especially one which will be accessible to all residents who require it. Hopefully it will also help increase numbers at the primary school itself. It is a wonderful, caring school which is very much an integral feature of Stebbing life and a great draw for 'outsiders' moving to the area. If we are to keep our villages alive, then this sort of scheme should be strongly supported.

2. I am writing in support of the application. The village does not currently have a pre-school facility which means that families with young children have to travel to Dunmow or Felsted. The addition of a pre-school will enrich the school and bring with it new areas of expertise as well as providing a more inclusive environment. This will help to ensure a future for the school by helping to increase to intake as a feeder.

COMMENTS ON REPRESENTATIONS: None.

PLANNING CONSIDERATIONS: The main issues are whether the proposal would comply with policies relating to development in the countryside and community facilities (ERSP Policy C5; ULP Policies S7 & LC3)

This application proposes the erection of a building located outside the Development Limits for Stebbing Village. ERSP Policy C5 and ULP Policy S7 specify that development in these areas should be restricted and the countryside will be protected for its own sake. Furthermore, planning permission will only be given for development which needs to take place there or is appropriate to a rural area. It is also a requirement that development will only be permitted if its appearance protects or enhances the particular character of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.

ULP Policy LC3 relating to Community Facilities specifies that development will be permitted on sites outside settlements if three criteria are met. It must be demonstrated that

1. there is a need for the facility;
2. the need cannot be met on a site within the boundaries and
3. the site is well related to a settlement.

The applicant has provided information with the application indicating that the current nursery site is not appropriate for the use and an alternative site is now required. There would be benefits to the primary school in having the nursery on the site as it is likely that the link between the school and the nursery would boost roll numbers at the school and help maintain the school within the village.

Alternative positions within the school site have been examined by the applicant however the areas which are within the Development Limits are unsuitable due to the resultant loss of the hard surfaced playground area to the front of the site, the potential impact on the nearby Conservation Area and the obscuration of the original Victorian school building and the potential conflict with neighbouring residential properties.

The proposed site for the nursery is located immediately adjacent to other school buildings and the Development Limits as defined in the Local Plan and the proposed building would predominantly appear against the backdrop of the other school buildings when viewed from the public footpaths to the north, south and east. In addition the building has been designed to be clad with boarding and it is considered that this use of natural materials would further reduce the impact on the rural character of the surrounding countryside. The application details indicate that shiplap cladding is proposed however featheredged weatherboarding would be a more appropriate material in this rural area and it is proposed to impose a condition requiring that this type of boarding is used rather than the shiplap cladding.

CONCLUSIONS: The applicant has demonstrated that there is a need for the facility and has investigated and discounted other locations within the Development Limits. The location of the proposed building aims to reduce its impact on the countryside and it is well related to the existing school buildings on the site and the Development Limits for Stebbing. It is also considered that the proposed design and materials would further reduce the impact on the

surrounding countryside. The proposal is therefore considered to comply with the 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.5.1. Samples of materials to be submitted and approved.
4. C.5.9. Stained wood.

Background papers: see application file.

UTT/0201/06/OP - DEBDEN

Demolition of dwelling and erection of four detached dwellings
Location: Dene Syde Thaxted Road. GR/TL 559-331.
Applicant: Mr G Willington
Agent: Mr B Christian
Case Officer: *Mr H Laird 01799 510464*
Expiry Date: 19/04/2006
ODPM Classification: MINOR

NOTATION: Inside Development Limits.

DESCRIPTION OF SITE: The site comprises a detached, double fronted bungalow with flat-roofed, double garage to the rear served by a single vehicular access from Thaxted Road. The bungalow is sited adjacent to the eastern site boundary hedge that screens the neighbouring dwelling 'Kyalami' from the site. The rest of the site is garden, previously used for the growing of fruit and vegetables. A number of garden sheds stand adjacent to the eastern site boundary hedge. The northern site boundary is marked by a Leylandii hedge that screens the neighbouring dwelling 'Selkirk' from the site. Selkirk is a one-and-a-half storey, red brick, chalet dwelling that has a first floor bedroom window in the gable elevation facing the site. A Mature, well-kept hedge marks the western site boundary with Thaxted Road.

The surroundings are mainly comprised of residential dwellings. To the east of the site on the opposite side of the boundary hedge, lies agricultural land.

The site slopes gently downward from north to south (side to side), and from east to west (rear to front).

DESCRIPTION OF PROPOSAL: The Outline application submitted on 6th February, 2006, seeks permission for the erection of four detached dwellings.

APPLICANT'S CASE: A covering letter and supporting statement accompany the application. The applicant considers that the proposal meets the Councils Adopted Planning Policies for the area as contained in the 2001 Essex and Southend-on-Sea Replacement Structure Plan; National Planning Policies contained in Planning Policy Guidance Notes and Statements, namely PPG3 'Housing'; and PPS7 'Sustainable Development in Rural Areas'; and, the 2005 Uttlesford Local Plan (Policies S3, GEN1, GEN2, & H3).

The applicant proposes a mix of both two storey and one-and-a-half storey dwellings to reflect the changes in level on the site. The proposal is an opportunity to remove the existing poor quality dwelling and to erect four dwelling houses on this large, (c.1300 square metres) plot. The submitted layout and street scene are indicative only, with all matters reserved for approval at a later stage. The drawings are submitted to show that four dwellings houses in a style typical of, and commensurate with the plot width and depth of nearby dwellings can be comfortably accommodated on the site.

Vehicular access visibility is wide ranging and safe, and is in character with neighbouring properties. The revised indicative site layout Drawing No CAR-1 demonstrates that parking and turning can be achieved on site for all four dwellings.

In subsequent correspondence between the applicant and the Council, the applicant advises that if the Council sees fit, a condition limiting the height of dwellings on site to 1 ½ storeys can be applied to any permission that may be granted.

CONSULTATIONS: Essex Wildlife Trust: No comments received.

English Nature: No Objection.

Environment Agency: No objection.

Anglian Water Services Ltd: No comments received.

National Air Traffic Services Ltd: No Objection.

Essex County Council (Highways): No objection subject to safeguarding conditions.

PARISH COUNCIL COMMENTS: Debden Parish Council – OBJECTS to the proposal owing to the excessive number of dwellings to be built on the plot. The Parish Council is also concerned about the prospect of on-street parking arising from the development which it considers, in conjunction with vehicles reversing out onto Thaxted Road, will create a hazard.

The Parish Council has also forwarded comments received from neighbours, these are:

“Four dwellings are too many for the site”.

“There are already parking problems in the lay-by outside the old people’s bungalows in Highfields”.

“Dwellings should be bungalows not houses as there are no two storey houses in that road”.

“Dwellings should be in line with existing bungalows”.

The parish Council has asked that the neighbours concerns be taken into account as OBJECTIONS when any decision is made.

REPRESENTATIONS: Three letters of representation have been received from neighbouring residents at Rowney House, Kyalami, and Bakers Cottage. All raise objection to the proposed development.

The main concerns raised are:

- Four dwellings are too many for the site and would represent overdevelopment.
- Four 3-4 bedroomed houses will bring with it many vehicles that will require off-road parking. The development will lead to danger from cars shunting in and out of restrictive driveways and creating a traffic hazard.
- There are already parking problems in the lay-by outside the old people’s bungalows in Highfields.
- Dwellings should be bungalows not houses as there are no two storey houses in that road.
- Houses will dominate what is a very beautiful village.
- Dwellings should be in line with existing bungalows.
- The north point is incorrectly positioned it should be more towards ‘Selkirk’.
- The proposals will involve the loss of a Horse Chestnut tree which is worthy of retention.
- The plots are too narrow and do not reflect nor are they similar to those serving dwellings to the south of the site.
- The proposed development is out of character with the surroundings and if permitted will change the character of Thaxted Road in this area.
- All dwellings on this side of the road are single storey with the exception of ‘Oak Apple’ and ‘Selkirk’. Any new development should be no higher than any existing properties.
- The development would be harmful to the amenities of occupants of neighbouring properties owing to the number of dwellings proposed; the number of people that can

be expected to live in them; and, the attendant traffic the development will generate in what is a road with a poor accident record.

PLANNING CONSIDERATIONS: The main issues are:

- 1) the principle of development. (ERSP Policies CS1 & BE1 and ULP Policies S3, GEN1, GEN2, H3 and H10),
- 2) proposed density of development/housing mix (ERSP Policies CS1 & H2 and ULP Policies GEN2, and 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) and
- 5) effects upon landscape and wildlife (ULP Policy GEN7.)

NB. Members should note that the north point on the indicative site layout plan is wrongly positioned. It points to the east. Also, the scale on the submitted Drawing No. CAR-1 is wrong. It indicates a layout at 1:200 scale, whereas the layout shown is at 1:100 scale.

1) The site lies within the defined settlement boundaries of Debden 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 four dwellings is sought, and an indicative layout plan showing how the site could be developed has been submitted with the application. This has subsequently been amended to show how on-site parking and turning could be achieved for all four plots.

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 1,300 square metres in size and the proposed 4 dwellings equate to a density of 30 dwellings per hectare (dph). This part of the village is low density, with in the main, detached dwellings of one or 1 ½ stories in height set in sizeable plots, and that sets the pattern to follow. The existing bungalow stands in a plot that is 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. However, the indicative layout plan is unconvincing in its indication that four dwellings can reasonably be accommodated on the site. The reasons for this are:

From the submitted drawing, it is indicated that the sites frontage is 44.0 metres.

'Kyalami' to the south has a frontage of 15.4 metres.
'Selkirk' to the north has a frontage of 16.9 metres.

From the attached 1:1,000 Scale plan (See Appendix 1):

The four dwellings from 'Kyalami' to 'Oakapple' have a frontage of 55.0 metres.
The four dwellings from 'Nellidean' to 'Sharon' have a frontage of 53.0 metres.

The four dwellings at 2, 4, 6 & 8 Highfields (which front Thaxted Road) have a frontage of 39.0 metres. These are local authority bungalows comprising elderly persons accommodation of small single storey dwellings under shallow pitched roofs.

'Silver Gleam' adjacent 'Selkirk' to the north has a frontage of 32.0 metres.

Given the above, no convincing argument as to how 4 detached dwellings plus the necessary on-site parking and turning, in an average 11 metre frontage per dwelling, can adequately be accommodated on the site. The applicant claims that the four proposed dwellings fully reflect the current layout and plot sizes for other development in the vicinity of the site. However, this claim is unsubstantiated. In addition, the footprints of the dwellings shown on the indicative layout plan are likely to be what is submitted at the 'Reserved Matters' stage. Given the length and width of these indicative dwellings:

Plot 1 - 11.6m x 7.5m (max)
Plot 2 - 14.5m x 7.5m (max)
Plot 3 - 14.5m x 7.5m (max)
Plot 4 - 15.5m (max) x 8.3m (max)

It is very likely that there will be a considerable amount of window to window overlooking between the side elevations of dwellings because of the length of the dwellings in relation to their width.

This is a very poor layout. The dwellings indicated are too large, resulting in poor amenity in respect of vehicle parking particularly in respect of Plots 3 & 4, which features a garage serving Plot 3 at the end of the rear garden that would involve a vehicle reversing 20 metres between the dwellings at Plots 3 & 4 to reach the on-site turning area. Furthermore, it indicates two car parking spaces to serve plot 4 in the front garden leaving it with no front amenity area, and a diminished outlook to the front that is unrepresentative of other dwellings in the locality.

There is no scope in this indicative layout for bin storage, given that the District Council is to switch to a new 3-bin, wheelie bin system in May 2006. It is reasonable to expect all new residential layouts to provide bin storage and avoid the unsightliness of wheelie bins stored in open view when it is not necessary. This again, is unrepresentative of what can reasonably be accommodated on the site.

The full height, two-story dwellings indicated at Plots 2 & 3 would be out of keeping with the surroundings. It is clear from surrounding development that the maximum height should be 1 ½ stories to reflect 'Selkirk', or single storey next to 'Kyalami' which is a single storey dwelling with a very shallow pitched roof.

It is considered that it is possible to adequately accommodate three detached dwellings on the site. No more. This would enable any dwellings erected on site to reflect the space and character of adjoining plots. The applicant has been presented with the above arguments and has been invited to amend the application to one seeking outline approval for three detached dwellings of a maximum 1 ½ storeys in height, but has declined to do so.

3) Local Plan Policy H10 is applicable in this case. It requires that “All development on sites of 0.1 hectares and above or of 3 or more dwellings will be required to include a significant proportion of market housing comprising small properties”.

The proposal does not comply with Local Plan Policy H10 in that the layout represents a poor mix of dwellings. Policy H10 indicates that there should at least be one x 2 or 3 bedroomed dwelling. There is an under-provision of such smaller dwellings in the District, and the application of Policy H10 is designed to redress this by requiring new-build schemes for residential development on sites of more than 0.1 ha in area; or where three or more dwellings are proposed to provide a significant proportion of smaller sized units on site. In this regard, the provision of one x 2 or 3 bedroomed dwelling is considered acceptable, and the applicant has confirmed that this can be covered by a condition to that effect. The applicant has subsequently submitted an indicated internal layout showing either the provision of 2 bedrooms or 3 bedrooms within the same shape dwelling. This could easily be converted to a 4 or 5 bedroomed dwelling to suit. A genuine effort to meet the requirements of Policy H10, should include an indicative dwelling of 2 or 3 bedrooms in size. The applicant has advised that he is willing to accept a condition limiting the size of one of the dwellings on site to a 3-bedroomed property, however, the applicant has also requested that the application be determined as submitted.

4) The comments of the Parish Council and neighbours in this regard are noted. No objections have been received from the Local Highway Authority to the application on highway safety grounds. The adequacy of the proposed access points is, therefore, considered acceptable.

5) In respect of the potential impact of the proposal upon the character of the landscape and wildlife, the former has been covered under the 2) above. English Nature has raised no objection to the proposals with regard to the impact on Wildlife.

COMMENTS ON REPRESENTATIONS: The fundamental concerns regarding the application are contained in the Parish Council’s comments and the comments from neighbours reported by it. It is agreed that four dwellings would represent an overdevelopment of the site, and two storey dwellings would be out of character with surrounding development.

CONCLUSIONS: The proposal is unacceptable. Four dwellings would represent an overdevelopment of the site, and two storey dwellings would be out of character with surrounding development. A maximum of 3 x 1 ½ storey dwellings would be an appropriate form of development in respect of the size of the site and the context of its surroundings.

RECOMMENDATION: REFUSAL REASONS

The proposed development is unacceptable because the provision of four dwellings on site, two of which are proposed to be two storeys in height, would lead to a cramped form of overdevelopment due to inadequate plot widths. This would result in an overly dominant form of development out of scale and keeping with the existing neighbouring dwellings at 'Selkirk' and particularly 'Kyalami'. As a result, the scale and extent of the proposals would be visually discordant with that of the existing street scene which is characterised by single storey, or at most 1 1/2 storey dwellings standing in wider plots than those proposed. Although the submitted plans are stated as illustrative, the submitted information has failed to demonstrate that the site can accommodate the number of units proposed. As such, the proposal is contrary to the provisions of Policies CS1 & BE1 of the Essex & Southend-on-Sea Replacement Structure Plan 2001; and Policies S3, GEN2 and H3 of the Adopted Uttlesford Local Plan 2005, all of which seek to

protect the character of the settlement and its countryside setting from inappropriate development (CS1, BE1 and S3), and to ensure that proposals for the erection of dwellings are in scale and keeping in respect of the neighbouring dwellings (GEN2 and H3). Notwithstanding the above reason of refusal, the applicant has submitted insufficient information to convince the local planning authority that one of the dwellings proposed to be erected on the site would be for a dwelling with no more than three bedrooms. Policy H10 of the Adopted Uttlesford Local Plan 2005 advises that "All development on site of 0.1 hectares and above or of 3 or more dwellings will be required to include a significant proportion of market housing comprising small properties". The application does not adequately meet this requirement despite a formal request under Article 3(2) of the Town & Country Planning (General Development Procedure) Order 1995 (as amended) for it to do so. Therefore, the proposal is unacceptable in the context of Policy H10.

Background papers: see application file.

UTT/0439/06/FUL - FELSTED

- 1) Change of use from poultry shed to boarding kennels.
- 2) Removal of conditions C90B planning application UTT/0639/04/FUL and UTT/0319/03/FUL to allow collection and delivery of cats, dogs and domestic animals on Sundays and Bank Holidays between 10.00am and 4.00pm.
- 3) Remove condition C90A of UTT/0319/03/FUL which restricts number of dogs housed at any one time.

Location: Gifford House, Stebbing Road. GR/TL 677-215.
Applicant: Mr & Mrs S W Brown
Agent: Mr & Mrs S W Brown
Case Officer: Mrs A Howells - 01799 510471
Expiry Date: 08/05/2006
ODPM Classification: MINOR

NOTATION: Outside Development Limit.

DESCRIPTION OF SITE: The site is located approximately 1.2km to the north of Felsted village and forms a boundary with the Flitchway immediately to the south. It is a disused poultry farm which comprises four farm buildings. The northern of the two smaller buildings is used to board small domestic animals i.e. cats/rabbits etc following a permission in 2004. Part of the southern of the two larger buildings has already converted to kennels. The maximum height of the shed is 4m excluding the roof vents. There is a grassed area to the south of the sheds and a mature hedge forms a boundary to the Flitchway. There is also some 2m high metal fencing surrounding the immediate kennel area. Members visited the site in 2003.

DESCRIPTION OF PROPOSAL:

- 1) The proposal would involve the change of use of the remaining 25m of the shed for use as a boarding kennels. It is proposed that the exterior of the building would remain largely the same as it is in its present form.
- 2) The proposal is also to vary condition C.90B of planning application UTT/0639/04/FUL and UTT/0319/03/FUL. The condition prohibits delivery and collection of any animal/domestic pet boarding on Sundays or Bank Holidays and the proposal is to allow for delivery and collection on Sundays and Bank Holidays between 10.00am and 4.00pm
- 3) The proposal is to remove condition C.90A of UTT/0319/03/FUL which restricts the number of dogs housed on the site at any one time.

APPLICANT'S CASE: See revised supporting statement received 23 March 2006 attached at end of report.

RELEVANT HISTORY: Change of use of poultry farm to boarding kennels - conditionally approved 2003. Change of use of a building to board small domestic animals, erections of prefabricated cattery unit for boarding domestic cats/pets - conditionally approved 2004.

CONSULTATIONS: Environment Agency: Standard response letter 8 – Small Residential Development (with Private Treatment Plant).
Environmental Services: The premises have been operating without causing a problem through noise, odour or smoke for sometime and we would not wish to make any adverse comments on this proposal.

PARISH COUNCIL COMMENTS: To be reported (due 12 April 2006).

REPRESENTATIONS: Notification period expired 13 April 2006.

Proposal 1:

The proposal would involve the change of use of the remaining 25m of the shed for use as a boarding kennels. It is proposed that the exterior of the building would remain largely the same as it is in its present form. The increase would introduce a further 16 kennels.

Six representations have been received to date and the comments are as follows:

- a) Traffic issues – increase causing noise disturbance
- b) Encroaching nearer to the neighbouring property
- c) The number of dogs currently housed has been reasonably quiet and unobtrusive any increase in the amount of dogs would cause the noise/disturbance levels to increase to a level that would ruin the amenity and enjoyment of living in the quiet and peaceful location
- d) No objection, aware of no problems so far

COMMENTS ON REPRESENTATIONS:

- a) Increase in traffic on the Stebbing Road can not be linked directly to Five star Kennels because since the A120 improvements there has been an increase in traffic. The applicants have submitted information which states that on average
- b) Proposal 1 is to occupy the second half of the building currently in use. The proposal does not include any alterations to the external facilities currently available. The building remains in the same position which is still some 85m away from the neighbouring property, although the kennels will now be contained within the entire barn opposed to the just at the eastern side of the barn. At present the kennels within the barn are 114m from the adjoining property.
- c) Comments which state that the kennels are quiet and unobtrusive and the fear is that the increase in animals would be harmful to the amenity of the neighbouring property – the increase will no doubt bring more noise and an increase in traffic directly related to the kennels however if there are pertinent conditions the supposed harm can be controlled.

Proposal 2:

The proposal is also to vary condition C.90B of planning application UTT/0639/04/FUL and UTT/0319/03/FUL. The condition prohibits delivery and collection of any animal/domestic pet boarding on Sundays or Bank Holidays and the proposal is to allow for delivery and collection on Sundays and Bank Holidays between 10.00am and 4.00pm

Six representations have been received to date and the comments are as follows:

- i) Sunday and Bank Holiday opening – traffic and noise issues
- ii) No objection, aware of no problems so far

COMMENTS ON REPRESENTATIONS:

- i) Sunday and Bank Holiday opening. The dropping off or collection of pets is controlled by condition however viewing apparently occurs on a Sunday, Bank or Public Holiday. To allow for collection of dogs/cats or domestic animals for two hours on a Sunday may increase the traffic but it would contain the opening times rather than all day on Sundays.

Proposal 3:

The proposal is to remove condition C.90A of UTT/0319/03/FUL which restricts the number of dogs housed on the site at any one time.

Six representations have been received to date, comments are as follows:

- 1) Increase in number of dogs would increase traffic and noise
- 2) Dog barking is not excessive during the day, mornings, lunch times and evenings the noise from many dogs barking can be clearly heard.
- 3) The number of dogs currently housed has been reasonably quiet and unobtrusive any increase in the amount of dogs would cause the noise/disturbance levels to increase to a level that would ruin the amenity and enjoyment of living in the quiet and peaceful location

- 4) No objection, aware of no problems so far

COMMENTS ON REPRESENTATIONS:

- 1) Comments which state that the kennels are quiet and unobtrusive and the fear is that the increase in animals would be harmful to the amenity of the neighbouring property – the increase will no doubt bring more noise and an increase in traffic directly related to the kennels however if there are pertinent conditions the supposed harm can be controlled
- 2) Increase in traffic on the Stebbing Road can not be linked directly to Five star Kennels because since the A120 improvements there has been an increase in traffic. The applicants have submitted information which states that on average

General comments received are as follows:

Dog mess on the Flitch Way

Since A120 improvements, Stebbing Road has become much busier as it has become a more convenient cut-through to Felsted School. Traffic has increased significantly.

A commercial venture of this size should be situated in an area more remote and suitable to house a large number of dogs.

Fenced in compounds look like a World War II prison of war camp.

An access has been cut through to the Flitch Way

Where does dog excrement end up from the kennels?

COMMENTS ON REPRESENTATIONS:

1. Dog mess on the flitch way. Environmental Services have been notified and have commented that there is not an issue as the applicants continually clear up any mess. Informal comments from the Flitch Way Country Park representative stated that they had no concerns because the applicants were conscientious with regard clearing away any mess.
2. A commercial venture of this size should be situated in an area more remote and suitable to house a large number of dogs. The application is for a continuation of a business which has been operating for approximately three years and does not appear to have been causing concern. Sustainable issues would have been considered at the time of the original application.
3. The fenced in areas are to ensure that the animals are kept safe and secure during cleaning times and perhaps a condition can be added to include landscaping so that the visual impact is less harmful.
4. The Flitch Way is designated as a County Wildlife Park comments from The Flitch Country Park contact is that a licence is required for the upkeep of any structure/gate which has access on to the Flitch Way. The applicants should be advised that they will need to contact The Flitch Country Park. There was also a comment that the applicants are very conscientious with regard to clearing away any dog mess along the Flitch Way.
5. Dog excrement – The applicants have submitted information to clarify that the standards required by environmental services are adhered to:
- Washing down of the kennels 99.9% water and 0.01% eco-friendly disinfectant; sluiced into drains to an appropriate septic tank and regularly emptied.
 - Re-cycle tin cans, cardboard etc
 - Dog faeces are double bagged and the applicants pay to have it removed by a licensed waste disposal company

PLANNING CONSIDERATIONS: The main issues are

- 1) **(ULP Policy E5 and ERSP RE2); The re-use of rural buildings for business uses will be permitted in the countryside if among other things the following criteria are met:**
- a) **the buildings are of a permanent and substantial construction**
 - b) **they are capable of conversion without major reconstruction or significant extension**

- 2) (ULP Policy S7 and ERSP C5); The Countryside and
- 3) (ULP Policy ENV11 & GEN4); Noise Generators & Good Neighbourliness.

1) Part of the building is currently being used for boarding kennels as well as another part of the site being used for the boarding of cats and domestic animals. The building is of permanent and substantial construction and no major construction is required to convert the remainder of the building to form a further area for boarding dogs.

2) The kennels are set within the countryside which will be protected for its own sake, but existing units do not appear to have created excessive traffic movements. An increase in the number of dogs which can be housed as well as opening on Sundays should also work towards protecting the countryside from other development elsewhere.

3) The existing kennels have been open for approximately three years and it appears have not created amenity problems for the surrounding properties. During this period there has been a noticeable increase in traffic but this may be linked to the A120 improvements rather than the kennels. Environmental Services have commented that the premises have been operating without causing a problem through noise, odour or smoke for sometime.

If the existing kennels were creating disturbance it would be appropriate to maintain the restriction on the number of dogs/cats or domestic animals which can board and not allow more kennels. Representations generally give the opinion that any disturbance is limited to meal times and walk times. On balance it is considered that the increase in dogs associated with this proposal should not give rise to a material difference to the amenity of the neighbours.

The application drawings show 16 new units proposed and at one dog per unit this would amount to 16 further dogs. The current restriction on the existing 20 kennels do permit a maximum of 3 dogs from the same family to occupy each unit. However if multiple occupation occurs a commensurate number of units are required to remain vacant so that a maximum of 20 dogs stay on site. The applicant has asked that all units (i.e. existing 20 plus proposed 16 – 36 in total) could be occupied by up to 3 large dogs or 4 small dogs. This would permit a theoretical maximum of 144 at any one time.

It is debatable how close to this theoretical maximum would be reached but certainly there would be scope for a very significant increase in numbers from the currently permitted 20 dogs. In addition enforcement problems would occur if a condition differentiated between the number of small dogs or large dogs. A condition clearly limiting the number of dogs of whatever size or breed would be more precise and enforceable. Given that the applicant considers that no more than three large dogs could be accommodated in each unit, this figure should remain the maximum. Rolling forward the existing restrictions on sharing i.e. no more than one dog/unit even if multiple occupation occurs would see the maximum number of dogs rise from 20 to 36.

The applicant contends that with the existing restriction on numbers of dogs, given that some of their custom includes multiple occupation of family dogs, a significant number of units have to remain vacant. Given the large site and apparent lack of impact on neighbours some increase would be appropriate. The precise figure is a matter of judgement but if all units were occupied by a single dog except for ten units occupied by a maximum of three dogs then a maximum of 56 dogs (10 x 3 plus 26 x 1) would be permitted on site. Officers consider that this would be appropriate for a trial period after which the site would revert back to a limit of the equivalent of one dog per unit (i.e. 36) unless a further permission was granted.

With regard to the hours of use, a planning condition exists to preclude the delivery and collection of pets on Sundays and Bank Holidays. Apparently, people have been visiting the site outside of these hours for 'viewing'. This appears to have occurred without problems. To permit an extension to these activities by allowing collection and delivery would be likely to add to the potential for disturbance, particularly given the greater number of pets to be kept on site. On balance the impact can be best assessed by a trial period of twelve months.

CONCLUSIONS: The application accords with local policies and should be conditionally approved.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. Within all the kennels operated at Gifford House there shall be no more than one dog houses in each unit comprised of one kennel and one run area, except for a total of 10 units which may hold up to three dogs at any one time if they are from the same family and need to be boarded together. Maximum of 56 dogs to be housed on site at any one time.
REASON: To prevent intensification in the interests of residential amenity.
6. Dogs/cats or domestic pets shall only be collected or left at the boarding kennels between the hours 10.00am to 12.30pm Mondays to Sundays and 16.00 to 18.00 Monday to Saturday. There shall be no collections, deliveries or viewings at any other time including Bank or Public Holidays.
REASON: To protect the amenity of neighbouring properties.
7. Prior to the first use of the additional kennels, details of the storage and waste materials shall be submitted to and approved in writing by the local planning authority. Subsequently, the storage and disposal of waste shall be implemented in accordance with these details and shall not be altered without the prior written consent of the local planning authority.
REASON: To protect the amenity of neighbouring properties.
8. The permission hereby granted for 16 new kennels and the introduction of the new maximum of 1 dog per unit or a maximum of 3 dogs per unit (maximum of 10 units) if from the same family shall cease one year from the date of this permission.
REASON: To enable monitoring of the situation in order to protect the amenity of neighbouring properties.

Background papers: see application file.

UTT/0261/06/FUL - STANSTED

Continuation of use as set out in planning permission UTT/0459/05/OP without compliance with conditions C.5.6. (roof shall be clay plain tiles) and C.5.9. (all external timber and external windows shall be painted black and weather boarding feather-edged)

Location: Land to the west of Alsa Lodge Cambridge Road. GR/TL 514-263.
Applicant: The Partnership of G E Sworder
Agent: Melville Dunbar Associates
Case Officer: Ms H Lock 01799 510486
Expiry Date: 12/04/2006
ODPM Classification: MINOR

NOTATION: Countryside beyond Development Limits. Access onto Class B Road.

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

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

DESCRIPTION OF PROPOSAL: Outline planning permission was granted for the construction of a building for use as auction rooms under UTT/0459/05/OP. It was subject to numerous conditions, two of which restricted the materials:

C.5.6: The roof to the building hereby permitted shall be clad with clay pantiles.

C.5.9: All external timber and all external windows to the building hereby permitted shall be painted black. External weatherboarding shall be featheredged.

Reason for both: In the interest of the appearance of the development and its impact on its setting.

This application seeks the removal of these conditions (the reasons are addressed below).

APPLICANT'S CASE: This application should be considered in parallel with the reserved matters application, which sets out the reason for the change in the Design Statement. Whilst it was originally envisaged that it would resemble a traditional agricultural barn, client has decided that the building should embrace more fully the principles of sustainable design and construction.

The conditions effectively prevent the use of cedar shingles and straw bales/lime render now proposed. The design of the auction room breaks new ground in respect of straw bale construction. It is considered that the horizontal form and scale of the building will be appropriate and that it will have a clean, crisp and unpretentious appearance enlivened by robust detailing. Notwithstanding the pioneering nature of the proposal it will be wholly in keeping with its rural location.

RELEVANT HISTORY: Outline permission for auction room & car park, etc, approved June 2005. Reserved matters application currently under consideration.

CONSULTATIONS: Building Surveying: no response formal received, but supportive of the energy efficiency measures of this scheme.

PARISH COUNCIL COMMENTS: no response received – due 19 March 2006.

REPRESENTATIONS: None received. Notification period, including display of site notice, expired 21 March 2006.

PLANNING CONSIDERATIONS: The main issues are whether the omission of these conditions is acceptable, and would have any adverse impact on the approved development (ULP Policy GEN2)

1) The purpose of the conditions was to ensure that the resultant building would appear as much as possible a traditional rural building. However, as the scheme has evolved it has become apparent that traditional materials of this type would not be compatible with the principles of sustainable construction. The applicants are seeking to maximise energy efficiency and sustainability in the construction and use of this building, and it was always intended that it would be built from straw bales. Further research has revealed that it is impractical to clad a straw-bale building, as it would create gaps for rodents to eat the bales. In addition, the use of cedar shingles is more environmentally sound compared to clay tiles, and would enable the roof valley to accommodate solar panels.

The building would always have been large, and of untraditional scale despite its materials. However, its siting and screening was considered sufficient to overcome concerns about its visual impact in the landscape. The proposed materials would fit equally well in landscape terms, and considerable weight should be given to the energy reduction benefits of the proposal.

It is therefore considered that no harm would arise from the omission of the materials conditions.

RECOMMENDATION: APPROVAL WITH CONDITIONS, AND AMENDMENT TO SECTION 106 AGREEMENT ATTACHED TO UTT/0459/05/OP

1. C.1.1. Submission of reserved matters: 1.
2. C.1.2. Submission of reserved matters: 2.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. C.4.1. Scheme of landscaping to be submitted and agreed.
6. C.4.2. Implementation of landscaping.
7. C.4.6. Retention and protection of trees and shrubs for the duration of development.
8. C.5.2. Details of materials to be submitted and agreed.
9. C.7.1. Slab levels.
10. The building hereby permitted shall not be used until the car parking spaces and service areas shown on drawing no. 1131/3, date stamped as received 18 March 2005 have been surfaced and marked out on site, in accordance with a materials schedule first submitted to and approved in writing by the local planning authority. Such space shall thereafter be retained without obstruction for the parking and turning of vehicles visiting the site in connection with the use as an auction rooms.

REASON: To ensure adequate on-site parking is provide and retained to meet the demand to be generated by the use, in the interests of highway safety.

11. No occupation/use of the development hereby permitted shall take place until secure parking for powered two-wheeler vehicles has been provided within the site, in accordance with the Essex Planning Officers Association Vehicle Parking Standards 2001. Such provision shall be undertaken in accordance with details first submitted to and approved in writing by the local planning authority, and in a form agreed in conjunction with the highway authority.
REASON: In the interests of accessibility.
12. No occupation/use of the development hereby permitted shall take place until secure and covered cycle parking on site has been provided in accordance with the Essex Planning Officers Association Vehicle Parking Standards 2001. Such provision shall be undertaken in accordance with details first submitted to and approved in writing by the local planning authority, and in a form agreed in conjunction with the highway authority.
REASON: In the interests of accessibility.
13. C.8.4. No deliveries except during hours specified.
14. C.8.22. Control of lighting.
15. C.8.23. Environmental Standards.
16. C.9.1. No outdoor storage.
17. C.13.7. Hours of use.
18. No development shall take place on the site until at least 48 hours notice (with as much advance warning as possible) has been given to the Uttlesford Badger Group, or any other agreed body, of the start of works, so that the impact of the works on protected species can be assessed throughout the construction period.
REASON: In order to ensure that the works are undertaken with minimal disruption to the Protected Species, at all stages of the construction process.
19. C.20.1. Acceptable survey and mitigation and management plan – Implementation of scheme.
20. C.20.4. Restricting Construction Works to a Specified Season to Protect Breeding Birds etc.
21. Prior to the commencement of the development a further survey of the application site shall be carried out to establish the size of existing badger setts and the excavation of new badger setts formed since the September 2004 survey was undertaken. The findings and conclusions of the survey shall be submitted to the local planning authority for approval in writing within one month of the completion of the survey, and prior to the commencement of the development. The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority.
REASON: In order to assess the situation in relation to protected species at the time of commencement of the development.
22. No works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any protected species has been granted by DEFRA under the Conservation (Natural Habitats &c) Regulations 1994, and a copy of which has been provided to the local planning authority. Furthermore, any such work within 30m of a badger sett will require a licence under the Protection of Badgers Act 1992.
REASON: To comply with the requirements of the Habitats Regulations and other legislation to protect species of conservation concern.
23. The 198 parking spaces shown on drawing 1131/3 date stamped as received 18 March 2005 shall not be used other than for the parking of vehicles in association with the use of the auction rooms hereby permitted. No vehicle shall be parked in the approved parking spaces unless it belongs to or was driven there by a person who is visiting (or working or attending a function which is being held at) the auction rooms. No vehicle parked at the site by or on behalf of a person visiting the auction rooms shall remain on the site once the building has closed for business for that day, other than as may form part of the travel plan.

REASON: To ensure adequate car parking spaces are provided to serve the auction room accommodation in interests of highway safety and to protect the rural amenities of the area.

24. The building shall not be used until the measures set out in the Travel Plan accompanying this permission are in place. The measures set out in that document shall remain in operation in their entirety unless alternative measures are first submitted to and approved in writing by the local planning authority. The applicant shall maintain records of the level of use of the measures for future inspection by the local planning authority should the necessity arise.

REASON: In the interest of promoting alternative and more sustainable means of travel than the private car. The records are required to provide information on the effectiveness of the Travel Plan, and to inform any revisions that may prove necessary.

25. During the construction period, no solid matter shall be stored within 10 metres of the banks of the Ugley Brook and thereafter no storage of materials shall take place in this area.

REASON: To prevent solid materials from entering the Ugley Brook and causing pollution.

26. Prior to the commencement of any development, a scheme for the provision and implementation of surface and foul water drainage shall be submitted to and agreed in writing with the local planning authority. The works/scheme shall be constructed in their entirety in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.

REASON: To prevent pollution of the water environment.

27. No development shall commence until details of energy-efficient construction materials and processes, including measures for long-term energy and water efficient use of the building, have been submitted to and approved in writing by the local planning authority. These measures should promote the use of renewable resources and involve sustainable drainage, heating and power systems. The building shall be constructed in accordance with the agreed materials, processes and systems, and shall thereafter be maintained in the approved form.

REASON: In the interests of sustainability.

28. This permission is subject to all legal agreements attached to the original planning permission reference UTT/0459/05/OP, which shall remain in force.

REASON: For the avoidance of doubt.

Background papers: see application file.

UTT/0283/06/DFO - STANSTED

Reserved Matters application pursuant to Outline Planning Approval UTT/0459/05/OP for siting, design & external appearance of auction room, building containing heating plant, access road, service and turning area, car parking, motorcycle and cycle parking facilities, foul and surface water drainage and landscaping

Location: Land to the West of Alsa Lodge Cambridge Road Stansted GR/TL 514-263

Applicant: The Partnership of G E Sworder

Agent: Melville Dunbar Associates

Case Officer: Ms H Lock 01799 510486

Expiry Date: 19/05/2006

ODPM Classification: Major

NOTATION: Countryside beyond Development Limits. Access onto Class B Road.

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

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

DESCRIPTION OF PROPOSAL: This is a reserved matters application for the construction of auction rooms. The footprint of the building would be 41.1m x 27.3m, plus an entrance lobby of 9.6m x 2.5m (this would be 1146sqm compared to the 1300sqm envisaged at the outline stage). The building would accommodate a single auction space of 746.6sqm, plus offices, a library/meeting room, strong room, cash office and staff facilities. The height of the building would be 2.6m to eaves, and 6.4m to the ridge. The building would have a double ridge, with the valley containing facilities for solar heating and rainwater harvesting. Materials would be straw bale walls with a lime render, and oak posts. The plinth would be reclaimed stock bricks, and roof would be cedar shingles. The entrance would be glazed. The building would be positioned towards the centre of the site.

To the northeast of the building an area of 152 parking spaces would be provided, including 12 disabled spaces. The car park would be enclosed by 1.2m high timber post and rail fencing, with hedgerow along the northern boundary. Additional planting would be provided throughout the car park. A further 48 spaces would be located to the south of the building for staff and as overflow parking on main sale days. A covered motorbike and cycle store would be located to the east of the building (13 motorbikes & 16 cycles). The standard for motorbikes would require 21 spaces, but the reduction is proposed given the limited appeal of this as a means of traveling to auctions.

To the southwest a separate maintenance building (10m x 5.54m) would be used for storage and to house a wood pellet boiler & silo. This would provide the wood burner heating system to the main building. A rainwater storage tank for harvesting water for use in toilets, etc, would be sited underground outside.

In front of the building, there would be a paved exhibition display area.

There would be illuminated bollards dotted along the length of the access road and throughout the car park, but these would only be operational whilst the auction rooms are in use. They would be automatically switched off by a remote movement sensor device when the last member of staff vacates the premises.

Although there is timber post and rail fencing throughout the site, 2m high steel paling fencing and gates would be erected at the entrance to the site.

In accordance with the outline permission, the proposals include widening of the access into the site, the provision of a ghosted right turn lane, and bus stop.

APPLICANT'S CASE: The basic construction module of the auction room is a bale of straw which can vary in size between 925mm and 1150mm. It is not therefore possible to be absolutely precise about the dimensions of the footprint of the building although it will not vary by more than 1000mm in any one direction. This will not adversely affect the site layout as there is ample space around the building for any minor adjustments in size to be made.

It is considered that the horizontal form and scale of the building will be appropriate to its countryside setting. It will also have a clean, crisp and unpretentious appearance enlivened by robust detailing. The surroundings will be landscaped in a manner that will be complementary to the site where the vegetation is naturally regenerating.

A detailed Design Statement accompanies the application, and can be viewed in full at the Council Offices or via its website. In summary:

- Applicant is fully committed to use of renewable and recycled building materials. Will include sustainable forms of heating, will utilise rainwater and solar energy.
- Issues of principle, access, and impact on wildlife were addressed at outline stage.
- Soil investigation did not reveal any significant matters of concern, and details of remediation have been approved by the Council.
- Building will be orientated in north/south direction to utilise solar gain.
- Car park will have separate entrance and exit to facilitate better management and traffic flow. Gated car park will be closed after working hours.
- Will be a drop-off point close to entrance for people using mini-bus service.
- Display area would be paved in locally obtained reclaimed natural stone, to display works of art as set out in the Section 106 agreement. Also hoped to provide an internal space for showing works produced by local amateur and professional artists.
- Reduction in auction space is due to acquisition of 2nd auction room in nearby town.
- Walls of building will be straw bales, a bi-product from agriculture readily available from grain growing areas of Essex and Cambridgeshire. Straw bales also have extremely good insulating characteristics giving significant savings on energy consumption. When coated in lime plaster inside and out, bales will allow building to breathe, resulting in good internal atmospheric conditions for staff health and valuable stock. Straw bales will be used as infill panels between structural timber frame.
- Cedar shingles will be used on the exposed roof slopes, but internal pitches will accommodate solar water heating and rainwater harvesting system, partially constructed in steel and unseen from ground level.
- Ground levels, topography, design and planting will minimise visual impact of building.
- Harvested rainwater will be stored in a 6000 litre tank. Will be filtered and used for non-potable purposes.
- Heat will be provided by a wood pellet/chips burning system.

- Following a meeting with the Police, security for staff and building will be enhanced by provision of CCTV system, security lighting (an ecologist has confirmed this would not adversely affect wildlife nearby), an alarm system, alarmed gates to the site entrance and gates of the car park, control of access to the offices from the public areas, and an earth embankment along the western flank of the building.

RELEVANT HISTORY: The whole site, including the land and buildings currently occupied as a rifle range has extant permission for use as a rifle and pistol range with clubroom (granted 1980). The land had previously been used as a sand and gravel quarry since the 1940s, without any planning condition requiring the land restoration. Outline planning permission was granted for the construction of auction rooms, 200-space car park and alterations to the access in June 2005.

CONSULTATIONS: TOPS: No objection subject to the works required by the Section 106 agreement, and the widening of the access road to 4.8m (NB revised plans have been received which address this). A request for a staff travel plan was subsequently withdrawn due to the number of staff employed.

Environment Agency: No adverse comments.

English Nature: No objections.

Badger Group: No comments received, but issues raised at outline stage have been taken into account.

Environmental Services: No response received, but have previously agreed submitted details regarding ground conditions and remediation.

Building Surveying (Energy Efficiency): No comments.

PARISH COUNCIL COMMENTS: No comment.

REPRESENTATIONS: This application has been advertised and no responses have been received. Consultation period expired 23 March 2006. Five additional neighbours consulted – reply due 1 May 2006

PLANNING CONSIDERATIONS: The main issues are whether the proposed details would

- 1) accord with the outline planning permission; and would be acceptable in terms of
- 2) highway safety (ERSP Policies CS5, T3, T6 & T12, and ULP Policies GEN1 & GEN8);
- 3) visual impact on the rural setting (ULP Policies GEN2);
- 4) impact on protected species (ERSP Policy NR6 & ULP Policies GEN7 & ENV8); and
- 5) energy efficient design (PPS22, ERSP Policy EG4, & ULP Policy GEN2).

1) The principle of auction use at this site was accepted with the grant of outline planning permission. Conditions required the building to be black-featheredged boarding with a clay tile roof. This was considered the most appropriate form for a building in this rural location, but as the scheme has evolved it has become apparent that materials of this type would not be compatible with the principles of sustainable construction. For example, it is impractical to clad a straw-bale building, as it would create gaps for rodents to eat the bales. In addition, the use of cedar shingles is more environmentally sound, but the roof valley will also be used to accommodate solar panels. An application to remove these two conditions has been approved separately under delegated powers. With the exception of these matters, the resulting scheme accords with all the other requirements of the outline planning permission.

2) The highway authority has raised no objection to the proposals, and the highway works were agreed at the outline stage, and subject to a section 106 agreement. Revised plans have been received which increase the width of the internal access road, and overcome a concern raised by the highway authority. A Green Travel Plan was approved as part of the outline planning permission.

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

4) There are a number of protected species in the vicinity of the site. At the outline stage, measures were agreed that would ensure the development could take place without any harm to badgers, lizards, or any other species. Condition C90E of the outline permission requires further survey prior to commencement, to assess any changes since the earlier survey. The proposed form of bollard lighting is 'badger-friendly'.

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

5) The design is dictated not only by the proposed use, but also by the aim to maximise energy efficiency. The 'applicant's case' above lists a host of measures proposed in the construction and after-use, and it is considered that this would be a sustainable development, with all appropriate measures incorporated.

CONCLUSIONS: The proposals would accord with the outline planning permission.

RECOMMENDATION: DELEGATE TO EXECUTIVE MANAGER DEVELOPMENT SERVICES TO GRANT RESERVED MATTERS UPON EXPIRY OF NEIGHBOUR CONSULTATION PERIOD (1 May 2006)

1. C.3.3. To be implemented in accordance with original and revised plans.
2. With the exception of conditions C.5.6 & C.5.9, all conditions attached to outline planning permission UTT/0459/05/OP and the attached legal agreement shall remain in force.

REASON: For the avoidance of doubt.

Background papers: see application file

UTT/0251/06/OP - TAKELEY

Outline application for erection of two dwellings all matters reserved

Location: Land South of Willow Tree Cottage, Broadfield Road. GR/TL 570-213
Applicant: Mr & Mrs R Goody
Agent: Mr & Mrs R Goody
Case Officer: Miss K Benjafield 01799 510494
Expiry Date: 10/04/2006
ODPM Classification: MINOR

NOTATION: Within Takeley / Little Canfield Local Policy 3 – Prior's Green Site.

DESCRIPTION OF SITE: The site is located approximately 0.88km to the northeast of the Four Ashes junction in Takeley and is immediately to the north of the Broadfield Road woodland. The site covers an area of 530m² and currently has a flat-roofed, open-fronted carport located adjacent to Broadfield Road. To the rear of the site are the remains of an outbuilding on the site which is partially collapsed. The site lies on the edge of an indent into the area subject to Local Policy 3.

DESCRIPTION OF PROPOSAL: This outline application is for the erection of two dwellings. The siting, design, landscaping, external appearance and means of access would all be determined at the reserved matters stage. This site is identified in the Supplementary Planning Guidance (SPG) that covers the area as on "Island Site". The proposal would result in a density of 38 dwellings per hectare (dph).

RELEVANT HISTORY: Erection of bungalow and repair/replacement of existing car port refused 2001.

CONSULTATIONS: ECC Highways: No objection to this proposal subject to the following condition: "All access to the site to be served via the internal estate roads of the overall Priors Green Development."

Water Authority: No objection.

Environment Agency: Provides guidance for the applicants.

Building Control: Insufficient detail to comment. We would need to know the siting of the dwellings within site and details of drive lengths and widths.

PARISH COUNCIL COMMENTS: Object on the grounds of size and shape of plot appears to be inappropriate for two dwellings.

REPRESENTATIONS: This application has been advertised and 1 representation has been received. Period expired 10 April.

Privacy. We would ask that our privacy be preserved, in particular by avoiding the plans having windows to main rooms that face us directly. Parking for residents and visitors. We would expect that the plans include provision for parking within the new development itself. Given the usage by residents at the moment, it would be hard to accommodate more cars in the parking space available on Broadfield Road. The land for development has an open garage on it at the moment, used by a resident, which may be lost when the land is developed, creating more pressure on parking. This concern is shared by several neighbours, though it may be overcome by making it possible for residents of the new houses to park on the land for development itself. Road through the Spinneys woods. If there is any physical or planning connection between the new houses and the new road through the Spinneys woods proposed as part of the Priors Green development, this would not be acceptable.

COMMENTS ON REPRESENTATIONS: This outline application has been submitted with all matters reserved. Issues relating to the design, parking and access will be dealt with when considering the reserved matters. Notwithstanding this, any new development would need to comply with adopted parking standards within the site area and should not result in any loss of privacy or overlooking. These issues would need to be addressed in any subsequent proposal for the site.

There is no relationship between this application and the proposed internal road network within the Priors Green site however it is a requirement of the Supplementary Planning Guidance relating to the development of "Island Sites" such as this, that they are accessed via the internal road network.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the development would be compatible with the Master Plan and the Council's Supplementary Planning Guidance (PPG3, ULP Local Policy 3) and**
- 2) **social, amenity and infrastructure contributions are required (ULP Policy GEN6).**

1) The Development Plan policies do not permit development of this site in isolation. Development of this site is however acceptable in principle provided it is contiguous with the development of the Prior's Green site overall.

The Supplementary Planning Guidance (SPG) emphasises that the principle of development of this and the other "island sites" is acceptable; that new development should gain access from the approved internal road network; that financial contributions should be made towards education, transport, sports, community and landscaping facilities; that affordable housing should be provided; and that no permissions should be granted on the island sites until UTT/0816/00/OP has outline planning permission. As Members will be aware, that application has been approved.

2) SPG requires that all the island sites other than the land adjacent to Takeley Nurseries should make appropriate and proportionate contributions to social, amenity and infrastructure requirements. These are based on an assessment of the costs of primary and secondary education, a contribution to transport enhancement and a contribution to the enhancement of local sports and/or community facilities, a contribution to fitting out, equipping and furnishing the on-site community centre and a financial contribution to structural landscaping and a 15-year landscape sum for its proper maintenance. The total basic financial contribution for wider and longer-term benefits excluding affordable housing and any associated additional educational payments and landscape contributions totals £5,969 per dwelling at April 2002 (indexed) prices. Because this site is outside the Master Plan area these contributions would need to be made in full.

CONCLUSIONS: The development of this site is acceptable in principle provided it is developed contiguously with planning permission UTT/0816/00/OP and not in isolation. A Section 106 agreement will be necessary to ensure contributions to social, amenity and infrastructure requirements as set out above and to link this site with the larger development, preventing its development in isolation.

RECOMMENDATION: APPROVAL WITH CONDITIONS SUBJECT TO A SECTION 106 OBLIGATION REQUIRING CONTRIBUTIONS IN ACCORDANCE WITH THE TAKELEY/LITTLE CANFIELD SPG AND ALSO COVERING THE ISSUES DETAILED ABOVE

1. C.1.1. Submission of reserved matter: 1.
2. C.1.2. Submission of reserved matter: 2.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. The land the subject of this planning permission shall not be developed other than contiguous with planning permission UTT/0816/00/OP. The site shall be included within the approval of phasing and development densities set out in conditions 1 and 6 of planning permission UTT/0816/00/OP.
REASON: To secure appropriate phasing and densities in a comprehensive manner.
6. The development hereby permitted shall be carried out in accordance with the Master Plan, drawing no. 1071/MP/6 Rev A dated 10.08.00 unless otherwise agreed in writing by the local planning authority.
REASON: To ensure development proceeds in broad accordance with the principles set out in the approved Master Plan.
5. C.5.2. Details of materials.
6. C.4.1. Scheme of landscaping.
7. C.4.2. Implementation of landscaping.
8. C.4.6. Retention of trees and shrubs.
9. C.16.2. Full archaeological excavation and evaluation.
10. Noise construction levels/hours.
11. No development shall take place until a program of works for the provision of foul and surface water drainage has been submitted to and approved in writing by the local planning authority, following consultation with Thames water. Subsequently the works shall be implemented as approved, including any phasing in relation to the occupation of buildings.
REASON: To ensure there adequate surface and foul drainage systems are provided for the development and there are no adverse effects on the wider community.

Background papers: see application file.
