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UTT/1225/06/DFO - LITTLE DUNMOW

Details following outline application (planning permission UTT/0023/03/OP) for proposed construction of 68 dwellings with associated adoptable roads, footpaths, drives, parking, parking courts, garages and access paths.

Location: The Former Sugar Beet factory (Area 5B) (Oakwood Park).
GR/TL 664-206.
Applicant: Bloor Homes Eastern
Agent: JCN Associates Limited
Case Officer: Mr H Laird 01799 510464
Expiry Date: 20/10/2006
ODPM Classification: MAJOR

NOTATION: ULP: Outside Development Limits/Part of Oakwood Park Residential site.

DESCRIPTION OF SITE: Oakwood Park is approximately 2.2km to the south of the A120. The Oakwood Park site is irregular in shape, with a total area of 7.49 hectares. The application site measures 1.4059ha. To the north of the application site are Phases 1, 2 and 4 together with the land intended for the village centre. To the west lies the rest of Phase 5, whilst to the east lies Phase 6. To the south lies Phase 3 and the land comprises a mix of reclaimed land, un-reclaimed land with stockpiles of fill material relating to the earlier reclamation phases.

DESCRIPTION OF PROPOSAL: This proposal seeks (reserved matters) consent of details following outline approval for the construction of 68 dwellings with associated adoptable roads, footpaths, drives, parking courts, garages and access paths pursuant to UTT/0023/03/OP, at The Former Sugar Beet Factory, (Area 5B), Oakwood Park, Little Dunmow.

APPLICANT'S CASE: The applicant's case is made in the plans and supporting documents comprising the application, including letters from Bloor Homes and Moat Housing Association regarding the affordable housing mix; a letter from the Police Architectural Liaison Officer, and a resume of the public consultation undertaken by the applicants. The 'Eco' homes rating of the proposed dwellings is currently being assessed, and proposed materials are will be submitted for approval post decision.

With regard to the infrastructure for roads and drainage surrounding 'Area 5B', these have already been previously approved and constructed, although at present not all of areas have been adopted.

Amended plans have been received proposing detail changes to the layout in response to consultations from Essex County Council's Highways, and Urban design and Regeneration Sections; and, Essex Police. Bin stores have also been added.

The number of Housing Association dwellings included in the application is 17. These dwellings are proposed to be spread throughout the development and are made up as follows:

- 4 no 1 bed 2 person Apartments:- Rented
- 6 no 2 bed 4 person Houses:- Rented
- 2 no 2 bed 4 person Houses:- Shared Ownership
- 2 no 3 bed 5 person Houses:- Rented
- 3 no 3 bed 5 person Houses:- Shared Ownership

The final position of which dwelling shall be shared or rented rests with the Housing Association, except for the Apartments which would be Plots 29 to 32.

RELEVANT HISTORY: Outline application for reclamation of despoiled land and demolition of redundant structures approved 1996. Temporary storage of soil reclaimed from settlement lagoons, allowed on appeal 1999. Amendment to condition to allow 250 dwellings to be constructed prior to completion of A120 approved 2000. Erection of 80 dwellings and associated garaging approved 2000. Erection of 85 dwellings and associated roads approved 2000. Reserved matters for 69 dwellings approved 2000. Variation of Condition 12 of UTT/0302/96/OP to allow occupation of not more than 305 dwellings prior to opening of A120 approved 2002. Redevelopment up to 655 dwellings, being a net addition of 170 dismissed on appeal in October 2002 for reason of inadequate affordable housing. Outline planning permission for the reclamation of despoiled land and redevelopment up to 216 dwellings (being a net addition of up to 160 dwellings) approved 2004. Revised Masterplan approved June 2004.

CONSULTATIONS: Local Plans: No policy objections subject to provision of affordable housing as proposed.

Environment Agency: No objection to submitted information.

Anglian Water Services Ltd: No comments received.

Environmental Services: Bin storage facilities should be provided in accordance with Condition C.8.30.

Police Architectural Liaison Officer: Raises objections to the proposed development as it would give rise to unnecessary, excessive permeability throughout the site that could lead to the opportunity for crime and raising the fear of crime for residents and users of the parking court.

Access to the parking/garage court between plots 49-50; 53-54; and 64-65 would allow vehicles and pedestrians to walk/drive through from one point to another. This would encourage anti-social behaviour and allow offenders to escape. Objections are also raised to the alleyways between unit 48 and the parking court, 45-62; 42-43; and 39-40 which will increase the fear of crime for visitors and encourage rat-running by cyclists and opportunities for graffiti artists. Lighting should also be provided to these parking areas.

No objection is raised in respect of the revised layout. Lighting to the garage courts/parking areas should be conditioned and should be white light.

ECC Urban Design & Regeneration: Makes a number of comments relating to the site layout, and design and appearance of the buildings. In particular, the dwellings facing Tanton Road do not provide sufficient continuity of frontage and enclosure to the street, similarly the development along part of Ranulf Road has numerous gaps in the frontage, particularly the large 5m gap accessing the parking court which should be reduced in size. Treatment of elevations, the use of materials and detailing of eaves and soffits should accord with the provisions of The Essex Design Guide 1997. Any comments received in respect of the revised layout will be reported.

ECC Highways: Makes standard comments in relation to drainage, road specifications, longitudinal gradients, provision of footways, carriageways and pedestrian visibility splays as per previous applications. For detailed requirements please see letter received 29 August 2006.

PARISH COUNCIL COMMENTS: Felsted: Advised no comments to make.

Little Dunmow: To be reported.

REPRESENTATIONS: This application has been advertised and 11 representations have been received. All raise objection to the proposals and these are summarised as follows:

- No communication has been received from Bloor Homes regarding their plans for this site.

- We are being continually misled in that we were told that be playing fields and recreation facilities opposite. A child has already been seriously burnt due to an incident. There are no suitable facilities provided for the various aged children who live here, and teenagers sit out in the road after dark.
- The siting of Housing Association Dwellings immediately opposite will devalue our properties by as much as 20%.
- Proposed houses are of a much smaller size, 1 and 2 bedrooms, whereas existing properties range from 3 to 6 bedrooms. We were advised by the Council that houses on the other side of Ranulf Road would be of the same size. The size mix between existing and proposed properties is inappropriate.
- Overlooking and loss of privacy from 2nd floor apartment lounge.
- Insufficient parking if occupants have two cars per dwelling. All houses should be allocated two car spaces each.
- Emergency vehicles will have difficulty of accessing the development arising from the dense nature of the proposed development and attendant volume of on street parking. This is a particular problem in Baynard Avenue
- The roundabout at Ranulf Road is at a very acute angle due to the road design. Cars have difficulty negotiating it as it is a blind corner. This should be examined.
- Layout should be revised to reflect the size, style and layout of properties opposite in Ranulf Road. On street parking should be kept to a minimum. Houses fronting the road should have their own driveways and provision of the parking of at least two cars.
- To refer to the application site as the former sugar beet factory is misleading. The factory is long gone and any further building would be on Greenfield land. This is unacceptable in a village.

COMMENTS ON REPRESENTATIONS: None

PLANNING CONSIDERATIONS: The main issues are whether the:

- 1) **proposal is in accordance with Oakwood Park Local Policy 1 and the June 2004 Masterplan;**
- 2) **layout, siting and design of the proposed dwellings is in accordance the Adopted Oakwood Park Design Guide;**
- 3) **numbers and siting of affordable housing units within the development are acceptable; and,**
- 4) **whether any material considerations exist.**

In considering the report of the Planning Inspector, who recommended allowing the appeal for the reclamation of despoiled land and redevelopment for up to 655 dwellings (being a net addition of 170 dwellings to those previously approved, making a total of 820) in October 2002, the Secretary of State identified three main issues:

- Whether it would be unsuitable to grant permission for an additional 170 dwellings bearing in mind the provisions of the Development Plan, the progress towards adoption of the emerging Local Plan and the supply of housing in the district;
- Whether the proposed development would make an appropriate contribution towards meeting the identified need for affordable housing in the area; and
- Whether there would be reasonable prospect of the Sewage Works *cordon sanitaire* being reduced sufficiently to allow the development to proceed within the lifetime of the permission.

The Secretary of State agreed with the Inspector that no sustainability arguments existed to justify refusal of the proposal, concurred that there was no reason why permission should not be granted in advance of completion of the Local Plan review process and agreed that

allowing the additional dwellings at a higher density would avoid the wasteful use of an existing Brownfield site. The Secretary of State also concluded that there was reasonable prospect of the *cordon sanitaire* being removed within the lifetime of the permission.

In summing up, the Secretary of State made it quite clear that the sole reason for dismissing the appeal related to the proportion of affordable housing proposed by the developer. The permitted scheme would have made a contribution of 17.2%, however the Development Plan stated that airport-related housing schemes should provide for up to 25% Affordable Housing. The Secretary of State took the view that the proportion of affordable housing being offered across the whole of the site was less than he would have expected for a development of this size, particularly in respect of the apparent failure of Low Cost Market Housing to meet affordable housing need in the District. In summing up, the Secretary of State considered that the proposed contribution would therefore be inadequate, with no clear reason given as to why a higher level could not be provided, and that the Council's insistence on 25% was not unreasonable. When considered together with the significant need for affordable housing in the area and the recommended contribution of 25% in the ADP, the Secretary of State considered this reason alone, enough to warrant a refusal and dismissed the appeal. The percentage of affordable properties was set at the outline stage and is not for further discussion.

It is considered that the Secretary of State came to the view that if sufficient Affordable housing was provided then there was insufficient justification to refuse the additional 170 dwellings, which would have brought the total number of dwellings on the site to 820. Subsequently, planning application UTT/0023/03/OP was approved in 2003 subject to a Section 106 legal agreement for outline planning permission for the reclamation of despoiled land and redevelopment up to 216 dwellings, (being a net addition of up to 160 dwellings following appeal decision APP/C1570/A/01/1072542 and subsequent dismissal by Secretary of State on 24 October 2002), public house, and associated highway, engineering and landscaping works. This has resulted in total permission for 810 dwellings.

A subsequent proposal UTT/0537/05/OP sought permission for an extra 28 dwellings, to bring the total to 838 and amounted to 18 more than was indicated as being appropriate by the Secretary of State, if the required level of affordable housing were to be provided. The application also proposed that of the 28 additional units, 40% would be affordable and delivered through a Registered Social Landlord in line with the ULP. The reason for this application for additional units was to allow for a higher density of development in Phase 6 and to ensure that the density is not so low as to compromise the design objectives for the estate. Notwithstanding the fact that an area of extra low density housing was proposed in Phase 6, the density of Phase 6 under the 810 dwelling scheme amounts to 22 dwellings per hectare. With the approval of the UTT/0537/05/OP proposal, this would rise to 30.8 dwellings per hectare, which represents a more efficient use of the land. This application was approved on 10 August 2005. In order to assist members with the application, the densities and numbers of dwellings on each phase are set out as follows:

The application presently before members ref: UTT/1225/06/DFO proposes 68 dwellings and associated development. 17 of these dwellings are to be affordable and delivered through a Registered Social Landlord in line with the ULP. This represents the 25% figure required for affordable housing as indicated above. Whilst overall, the number of dwellings is important, the Council uses a design led approach on each of the individual phases, which means that the number of dwellings per phase is not critical so long as the layout is satisfactory, there is adequate space, good relationship of dwellings and spaces, varied character and visual quality of the streetscene, appropriate design and style of dwellings, adequate parking provision and minimal impact on residential amenity amongst others. This approach allows for a greater flexibility within a phase in order to achieve a mix of house sizes, styles and designs that adds variety and character to an area, rather than a uniform density and

character as per 1980's/1990's developments, which do not create sufficient sense of place or identity and is inappropriate in this rural area.

The comments received from the ECC Urban Design & Regeneration team are noted. These have been largely addressed in the revised plans received from the applicants. With regard to the dwellings facing Tanton Road, the layout has been the subject of pre-application discussions where it was agreed that the layout and proposed built form was in accord with the surrounding development at Oakwood Park. It is considered that not all developments on site should be similar to each other as this promotes variety in the built form and street scene, whilst adding to the overall character of development at Oakwood Park. The adjoining site features properties with up to six bedrooms, whilst the submitted layout is for development at a higher density.

The proposed accommodation schedule indicates:

5 bedroom houses	= 3
4 bedroom houses	= 6
3 bedroom houses	= 37
2 bedroom houses	= 5

In addition the affordable housing units comprise:

1 bed apartments	= 4
2 bed houses	= 8
3 bed houses	= 5

The development proposed comprises a significant proportion of smaller properties for which there is an identified shortfall in the District (See ULP Policy H10 - Housing Mix). In addition, to meet the Council's Adopted Car Parking Standards of a maximum two spaces per dwelling, garage court parking areas are required, and access roads to them will disrupt the continuity of the street scene, a fact also pointed out by some of the neighbours. However, it is considered that there remains a large degree of continuity of the built frontages to both Tanton Road and Ranulf Road which would be in character with existing development in Oakwood Park. Comments regarding the treatment of elevations, the use of materials and detailing of eaves and soffits have been revised to accord with the provisions of The Essex Design Guide 1997, and are considered acceptable.

In addition, the applicants have submitted two A4 sized layouts indicating how the development could relate to adjoining land within the *cordon sanitaire*. One indicates it as open space, the other as developed land. It is considered that the layout proposed would not preclude the ultimate development of land within the *cordon sanitaire* and that both development of the application site as proposed and the *cordon sanitaire* would relate reasonably to each other and their surroundings.

The revised plans have also addressed the comments received from ECC Highways to which the Highway authority has raised no objections subject to safeguarding conditions. Similarly, the comments raised by the Police Architectural Liaison Officer (PALO) have been met. The PALO advises that lighting to the private parking areas and garage courts be dealt with by condition with the preferred lighting source being white.

The proposal is considered acceptable in terms of the above requirements. Neighbours comments relate mainly to the siting of affordable housing opposite their properties and cite potential loss of property values as their main reason for objection. The scheme is designed to ensure that the affordable housing units are no different in overall design and style to the proposed market housing. Tenancy of dwellings, whether it is rented or shared ownership is

solely a matter for the Housing Association and is a matter that lies beyond the scope of the planning system. There are no other material considerations.

CONCLUSIONS: The proposal provides an acceptable form of development incorporating a 25% mix of affordable housing units to be administered by the Moat Housing Group as Registered Social Landlord. It is considered that the layout and proposed built form is in accord with the surrounding development at Oakwood Park, and that the proposed numbers of units and overall density of development is in accordance with Government guidelines as indicated in PPG3 'Housing', and the Design Guide and Masterplan for Oakwood Park. It is considered that the layout proposed would not preclude the ultimate development of land within the *cordon sanitaire* and that development of both sites should relate reasonably to each other and their surroundings. It is, therefore, recommended that subject to all previous conditions relating to UT/0023/03/OP being adhered to (plus the requirements of ECC Highways, PALO, and conditions relating to 'Lifetime Homes', the use of sustainable materials, and the provision of Bin Stores), including the terms of the S106 Agreement relating to the site overall, that planning permission be granted.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.3.2. To be implemented in accordance with revised plans.
2. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission
2. C.5.1. Samples of materials to be submitted agreed and implemented.
4. C.8.29. Details of sustainable construction for new residential or commercial development
5. C.8.30. Provision of bin storage.
6. C.6.5. Excluding fences and walls without further permission.
7. No development shall take place until a scheme of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme. Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies. Only clean uncontaminated surface water shall be discharged to any soakaway, watercourse or surface water sewer.
REASON: To ensure there is no pollution of the surface water environment.
8. Except in emergencies, no deliveries of materials shall be made to the site and no work shall be carried out on the site during the period of construction of the development:
 - a) Before 07.30 or after 18.00 on weekdays (Mondays to Fridays inclusive)
 - b) before 08.00 or after 13.00 on Saturdays
 - c) On any Sunday or Bank or Public HolidayREASON: To safeguard the amenities of nearby residential properties.
9. C.7.1. Details of external ground and internal floor levels to be submitted agreed and implemented – building(s).
10. Any cycle way and independent footpaths shall be laid and constructed in accordance with current policies and practices.
REASON: To ensure a satisfactory standard of development.
11. No gates, windows or doors that form part of the approved development shall open over the highway.
REASON: In the interests of highway safety.
12. Prior to the first occupation of the development hereby approved, visibility splays with dimensions of 2 metres by 20 metres as measured from and along the nearest edge of the carriageway shall be provided on both sides of the access between plots 25 and 26. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times.

- REASON: To provide adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access having regard to Policy T8 of the 2001 Essex and Southend-on-Sea Replacement Structure Plan.
13. Prior to the first occupation of each property, each vehicular access shall be provided on both sides with a 1.5 metre x 1.5 metre pedestrian visibility sight splay as measured from the highway boundary. There shall be no obstruction above a height of 600 mm as measured from the finished surface of the access within the area of the visibility splays thereafter.
REASON: To provide adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access having regard to Policy T8 of the 2001 Essex and Southend-on-Sea Replacement Structure Plan.
14. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site
REASON: To avoid the displacement of loose material onto the highway in the interests of highway safety and in accordance with Policy T8 of the 2001 Essex and Southend-on-Sea Replacement Structure Plan.
15. C.10.5.Carriageways of estate roads.
16. All independent footpaths shall be provided to a minimum of 2 metres wide, and shall be drained and lit to the satisfaction of the Local Highway Authority.
REASON: To protect public safety and amenity in accordance with Policy T3 of the 2001 Essex and Southend-on-Sea Replacement Structure Plan.
17. All electrical and telephone services to the development shall be run underground. All service intakes to dwellings, apart from gas, shall be run internally and not visible on the exterior. All meter cupboards shall be positioned on the dwellings in accordance with details, which shall have been previously submitted to and approved by the local planning authority. All buildings containing flats shall be equipped with a communal TV and radio aerial and satellite dish in positions, which shall have been previously submitted to and approved by the local planning authority (unless the development is in an area served by cable distribution). On all buildings satellite dishes shall be of dark coloured mesh unless fixed to a light coloured, rendered wall, in which case a white dish should be used. Satellite dishes shall not be fixed to the street elevations of buildings or to roofs. All soil and waste plumbing shall be run internally and shall not be visible on the exterior. Rainwater goods shall be black, and shall be indicated on submitted elevations. All windows and doors in masonry walls shall be inset at least 100mm and shall be fitted with sub-cills. All windows and doors shall be of designs which shall have been submitted to and approved by the local planning authority prior to their installation. Details of all ground surface finishes, including kerbs and manhole covers shall be submitted to and approved by the local planning authority prior to their installation. The rights of utility companies to deemed consent under the General Permitted Development Order to construct electrical substations and gas governors within the development are withdrawn and planning consent will be required.
REASON: To ensure a satisfactory standard of development.
18. All security lighting to public parking and garaging courts shall be of white light.
REASON: To protect public safety and amenity in accordance with Policy GEN2(e) of the 2005 Uttlesford Local Plan.

Background papers: see application file.

UTT/1571/06/FUL - STANSTED

(Referred by Cllr Sell)

Modification of access approved under UTT/0149/06/DFO
Location: Mont House Brewery Lane/ High Lane. GR/TL 515-252
Applicant: Prime Crest Ltd
Agent: Robert Crawford Associates
Case Officer: Mr T Morton 01799 510654
Expiry Date: 15/11/2006
ODPM Classification: MINOR

NOTATION: Inside Development Limit.

DESCRIPTION OF SITE: The site is a large 0.57 hectare plot set to the west side of High Lane, with Mont House, a rambling two storey house, standing immediately beside the road. The house is vacant, vandalised and fire damaged. The remainder of the plot consists of a mature landscaped garden, with some significant specimen trees protected by Tree Preservation Order. The site presents a landscaped frontage to High Lane and Brewery Lane that forms a significant character element in the local street scene.

DESCRIPTION OF PROPOSAL: This application seeks detailed consent for the original access proposed as a reserved matter for the redevelopment in the Outline applications. As part of the previous application 0149/06/REN for Reserved Matters approval the site developer had hoped to be able to use an existing access shared with 27 Brewery Lane, however it has transpired that the Mont House site does not have right of access over that driveway, save for the access of an existing single garage on the site. Accordingly this application submits the details of the access originally proposed in the Outline approval, UTT/0076/05/REN, but as a full application rather than as a reserved matter.

APPLICANT'S CASE including Design & Access statement: The access shown in this application reverts to the form already approved at Outline level.

RELEVANT HISTORY: UTT/1511/98/OP Outline approval for 5 detached dwellings and garages. Approved 25.01.1999.
UTT/1650/01/FUL Renewal of Outline approval for 5 detached dwellings and garages. Approved 24.01.2002
UTT/0076/05/REN renewal of Outline consent for the development of 5 new dwellings. Approved 03 March 2005.
UTT/0149/06/REN Reserved matters application for the demolition of the existing house and garage and erection of 5 no detached houses. Construction of new vehicular and pedestrian access. Approved 14 March 2006.

CONSULTATIONS: Arboricultural Officer: The alignment of the proposed access runs between 2 No. mature Lime trees which are the subject of a Tree Preservation Order which is administered by Essex County Council [TPO No.9/53 ref G6]
The Lime trees are mature subjects which, as part of a group, are considered to be of an amenity value worthy of their protection under a Tree Preservation Order. The location of these trees at the junction of Brewery Lane and High Lane gives them a greater prominence in the street scene.

The kerbs of the proposed access are some 2.5m from each tree. To accommodate the access the existing ground level at the closest point to each of the trees will have to be

reduced by approximately 1.0m. The proposal shows regrading of the levels either side of the access within approximately 1.5m of the two Lime trees.

The proposed change of levels so close to the two Lime trees is highly likely to result in root severance and damage with the risk of roots being exposed through regrading. To reduce risk of root damage to an acceptable point I recommend that flank retaining walls are proposed to eliminate the need to regrade levels either side of the access. (Revised plans have been received which address this point.)

The proposal also includes the removal of a young Oak tree at the southern end of the site. Whilst this tree is a well formed specimen, its removal would be found acceptable subject to a replacement tree being planted in a suitable position.

Essex County Council Highways: The County Council has reversed their original position on this proposal and has raised an objection to this application on the basis that it will add traffic to the junction of Brewery Lane and High Lane. They do not raise objection to the access onto Brewery Lane itself, as this is a private unadopted road. The County has confirmed that despite their recommendation of refusal for this application, they would not handle nor appear at any subsequent Appeal, nor would they bear the costs if costs were awarded against the Council. [Note; where approval has previously been granted for a form of development, and if the local planning authority subsequently refuses consent for the same or a similar proposal, there is considerable risk of cost being awarded unless it can be shown that there is a material change in circumstances].

PARISH COUNCIL COMMENTS: Share residents concerns relating to the alternative access. Believe this would have a detrimental effect on trees to either side of the proposed road. Support residents proposal for access road to lead straight onto High Lane instead. Request Site Visit.

REPRESENTATIONS: 5 representations have been received. Notification period expired 11 October 2006.

Occupiers of 27 Brewery Lane have objected on the grounds that the scheme does not reflect the shared rights over the existing driveway to the side of their property.

An objector has called for longer and wider public consultations to be held, and believes the Mont House site originally had access direct to High Lane.

A third objector believes the new junction is too close to the junction with High lane, and will cause problems for emergency vehicles and waste collection. Provision should be made for a pavement. The loose gravel surface will spill out into Brewery Lane. The access will cause damage to two Oak trees protected by Tree Preservation Order.

I would like to suggest the following which hopefully you may find constructive:

1. The access to the development could be changed to the north of High Lane.
2. This would preserve the landscape
3. Allow a properly constructed access point directly onto a fully made up standard Council approved Road.
4. With major construction on the site the opportunity could be taken to straighten out a very dangerous bend which restricts vision at the junction of Brey Lane and High Lane. Traffic flow has increased four fold over the last four years and such action would be a valuable contribution to traffic flow and road safety. The developer would perhaps lose a couple of yards land which would have no effect on his development.
5. The other positive would be with an outline planning re Almount House the same access point could be used for both developments. I appreciate your comments that planning applications are considered on a one by one basis but a little joined up thinking may result in a win situation both for the develoer and the residents and the wider community in Stansted and the current through traffic we have to deal with as a village.

A long letter has been received making reference to plans submitted on other applications in the area seeking to make points about the boundaries of the site. The writer asks for a condition that if approved this access should be restricted by condition to serve only the five approved houses in order to prevent additional development at a later time. It is pointed out that Brewery Lane is a private road and questions whether the Council has power to grant approval to create access in such a case. Issues raised by others are also raised here about the steepness of the slope, conflict with traffic, safety, water washing onto the road, loose stones washing on the road, and possibility of vehicles slipping in icy conditions. A site meeting is requested with the residents of Brewery lane and the Parish Council.

COMMENTS ON REPRESENTATIONS: The whole purpose of the application is to provide a completely separate access away from 27 Brewery Lane, and that is what the submitted drawings show.

This design of access to Brewery Lane has previously been granted Outline approval, and is considered to be satisfactory for what is in effect a private drive.

The surface is shown as bonded shingle topping, and to control the possibility of loose chippings spilling onto the road a condition is recommended to require a bound surface for the first 6 metres of the driveway.

The flanking trees are Lime not Oak. Their treatment is discussed below.

The detailed suggestion to provide a different access is noted, but the Council has to deal with the application before it. As High Lane is a through road there could be Highway Authority objections to creation of a new access, particularly if, as seems likely, required visibility splays could not be met. This point has however not been explored with the Highway Authority.

The submitted drawings of other sites are of little relevance in that they only reproduce the general layout of the area at various times based upon the Ordnance Survey. It would be ultra vires to attempt to restrict any possible future development by a condition limiting the scope of the access, any such future development has to be treated on its merits at the time in view of the policies applicable at that time. The Local Planning Authority does have power to approve for planning purposes an access onto a private road, the issue of the right to use such an access is a matter of private property law and is for the affected landowners to resolve. The concerns about safety are noted and discussed below. Consultations upon the application have been carried out in the normal manner affording nearby occupiers the opportunity to make their views known, and several have responded. This is only an application for a relatively minor access, and the access has previously been shown on approved plans and so is not a wholly new idea. It is not considered that there is any need for wider consultation or a site meeting.

PLANNING CONSIDERATIONS including Design & Access statement: The main issues are

- 1) Access to the highway (ULP Policy GEN1);**
- 2) Protection of trees and landscape (ULP Policy ENV3) and**
- 3) Other material planning considerations.**

1) The proposed access has already been accepted on the earlier applications, and as there have been no material changes in circumstances or policy the Council has no grounds to come to a different conclusion on the current application. In such circumstances a refusal now would lead the Council open to claims of costs at Appeal.

Brewery Lane is a private unadopted road without footpaths. The new access is similarly a shared surface private drive, and this is considered appropriate to serve the approved development of five dwellings. The design and siting of the access is otherwise considered to be acceptable in terms of normally applied highway standards. The driveway is not unduly steep, the lane itself has a comparable slope and many other private drives along the lane also slope down into the lane. A condition is recommended to control loose gravel within 6 metres of the lane. Issues related to the unadopted private nature of the road and rights to use it are not material planning issues, but rather for the owners of the road to address.

2) Protection of the existing mature trees and the landscape planting of the site in general is a high priority here. The Protected Trees are large mature specimens that make a major contribution to the character of the site itself and to the surrounding area from where they can be seen. The proposed access sits in a gap between two Lime trees on the bank to Brewery Lane, and the works will require digging down through the roadside embankment to get an appropriate gradient on the road, and this will mean works in the root zone of the Lime trees that will stand either side of the access. This will need to be done very carefully, with as large a block of soil retained around the roots as possible. The proposals have been modified to meet the recommendations of the Council's Arboricultural officer, and are considered satisfactory.

3) The layout of the housing development is fully approved, and no other issues are considered to arise.

CONCLUSIONS: The proposal is considered satisfactory.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.10.18. Unbound material/surface dressing.
3. The access shall be contained between the retaining walls indicated on the approved drawings which shall be constructed as approved before commencement of the associated approved development of house on the Mont House site which this access services. Samples of the materials to be used in the construction of the walls shall be submitted to and approved in writing by the Local Planning Authority before commencement of their construction.

REASON: In the interest of providing support to the adjacent protected trees and in the interest of visual amenity.

Background papers: see application file.

UTT/1161/06/OP - LITTLE CANFIELD

Proposed residential development including construction of new vehicular/pedestrian access and alterations to existing vehicular/pedestrian access

Location: Land adj The Rest Dunmow Road. GR/TL 574-212.

Applicant: Goldsand Estates Ltd.

Agent: Frederic Chadburn

Case Officer: Mr H Laird 01799 510464

Expiry Date: 09/10/2006

ODPM Classification: MAJOR

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

DESCRIPTION OF SITE: The site is located approximately 1.2km to the northeast of the Takeley Four Ashes junction and lies within the boundary of Little Canfield Parish. The site covers an area of approximately 0.25ha and comprises a field with mature trees both on site and contained within the hedgerow boundaries. It currently has a wooden summer house located to the south of the plot. Detached dwellings lie either side of the site to the east and west, to the north lies an empty field. Whilst, across Dunmow Road to the south lies the former Esso garage site.

DESCRIPTION OF PROPOSAL: This outline application is for the erection of 11 houses on an area of approx. 0.25 ha. This equates to a density of 44 dwellings per hectare (dph). Siting and access are matters to be determined at this stage and a layout drawing to 'Lifetime Homes' standards has been submitted with the application. The layout drawing proposes a new access to serve 8 houses, and the improvement of the existing access serving The Rest, to serve a further 3 houses.

The design, landscaping, and external appearance would all be determined at the reserved matters stage. This site is identified in the Supplementary Planning Guidance (SPG) that covers the area as an "Island Site".

NB. The position of the proposed 'Priors Green Highway Roundabout' is shown on the submitted layout drawing

CONSULTATIONS: ECC TOPS (Highways): OBJECTS to this proposal on the grounds that:

- It would create a new junction onto a stretch of classified highway that would adversely affect the safety and free-flow of traffic due to the slowing and turning of vehicles using the junction through the introduction of a further point of possible traffic conflict.
- The site is an 'Island Site' in the Uttlesford Local Plan Supplementary Planning Guidance requiring access from the Priors Green development.
- The creation of the new access is unacceptable due to the proximity of the proposed roundabout to serve the Priors Green development from the Dunmow Road.

Thames Water Authority: Sewage Authority - No objection.

Three Valleys Water Authority: Water Supply Authority – To be reported.

Environment Agency: Provides guidance for small residential development relating to disposal of surface water and foul drainage.

ECC Archaeology: Recommends a programme of archaeological work and recording - excavation.

ECC Schools Service: The Essex County Council Schools Service confirms that it would be seeking an Education Contribution under a S106 Agreement of the 1990 Planning Act.

Environmental Services: Advises that access for maintenance purposes be made available to the ditch along the northern site boundary. This should consist of a pedestrian access from the public area in the site and a minimum level strip 1.2m wide between any boundary fence and the top of the bank or ditch.

PARISH COUNCIL COMMENTS: Little Canfield: Object. The application constitutes overdevelopment of the site due to the number of houses proposed. There should only be one access point to the site – the existing one. As an ‘Island Site’ it was stipulated that all new accesses should be through Priors Green.

Any proposed housing should give full access and storage for the three-bin recycling scheme now in progress. Services should be connected to those for Priors Green to prevent flooding and over use of the existing services in Dunmow Road.

Takeley: No comments received.

REPRESENTATIONS: One received from the occupants of ‘The Homestead’ to the west of the site. Notification period expired 15 August 2006.

Objections raised are: Overdevelopment - the development is entirely out of character with the natural development pattern which is characterized by ribbon development. This proposal is a fully urban pattern associated with more dense urban location.

Traffic generation – this would result in daily movements of at least 25 cars. The car is essential transport due to the location of Little Canfield.

Proposed first floor rear widows serving houses No. 1 and No. 4 would overlook our private garden.

Woodland would be destroyed by the proposals by cramming in as many properties as possible with no regard for the existing populace or environment.

COMMENTS ON REPRESENTATIONS: This outline application has been submitted with siting and access as matters to be determined at this stage and all other matters reserved. The Local Highway Authority is clear in its objection to the proposed new access and the increased use if the existing access on highway safety grounds. There is no current proposal for the access however the Supplementary Planning Guidance requires access for the new development to be via the estate roads which will form part of the overall Priors Green Development. The density of the proposed development c.44 dph is in line with other approved layouts for the Priors Green development.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) the development is acceptable in principle;
- 2) the development would be compatible with the Master Plan and the Council’s Supplementary Planning Guidance (PPG3, ULP Local Policy 3);
- 3) the proposed access and increased use of the existing access would be detrimental to highway safety;
- 4) there would be an unacceptable loss of trees; and,
- 5) there would be harm to neighbours amenities.
- 6) 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.

3) Objections to the proposals have been received from the Local Highway Authority on the grounds that the proposed new access would conflict with the free flow and safety of traffic using the highway and that it be unacceptably close to the new roundabout access from the B1256 proposed to serve the Priors Green development. Supplementary Planning Guidance requires access for the new development to be via the estate roads which will form part of the overall Priors Green Development. However, no development has yet taken place and whilst the land to the north is in separate ownership, the applicants are in a position to negotiate access from this land thus meeting the policy requirements.

4) It is unlikely that the proposal will involve the loss of a number of trees, and access for maintenance purposes of a minimum level strip 1.2m wide between any boundary fence and the top of the bank or ditch on the northern site boundary could be achieved.

5) The comments received from the neighbour at The Homestead are noted. However, it is considered that there is sufficient distance between this dwelling and those proposed for any overlooking not to be materially harmful to this neighbours privacy and amenity.

6) A Section 106 Agreement would 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. However, other circumstances indicate that the proposal is unacceptable.

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 would 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. However, the proposal involves access from the B1256 which is contrary to Adopted Council Policy and SPG relating to Priors Green. It is also unacceptable on highway safety grounds.

RECOMMENDATION: REFUSAL REASONS

1. The proposed development is unacceptable in terms of highway safety as it would result in the creation of a new junction on a stretch of classified highway where the principle function is that of carrying traffic freely and safely between centres of population. The slowing and turning of vehicles associated with the use of the junction would lead to conflict and interference with the passage of through vehicles to the detriment of that principle function and introduce a further point of possible traffic conflict, being detrimental to highway safety.

2. The site is classified as an 'Island Site' in Supplementary Planning Guidance published and Adopted by the District Council in support of Local Policy 3 – Priors Green - contained in the Uttlesford Local Plan 2005. This Guidance requires that access to such sites be derived from the Priors Green development. The application proposes a new vehicular access directly onto the B1284 Dunmow Road which is contrary to adopted Council Policy. As such, the proposal is unacceptable.
3. The creation of the proposed new access onto Dunmow Road to serve eight dwellings is unacceptable in terms of highway safety due to the proximity of the proposed roundabout to serve the Priors Green development from the Dunmow Road.

Background papers: see application file.

UTT/1481/06/FUL - CLAVERING

Erection of 8 dwellings, construction of new pedestrian and vehicular access. Alteration to existing dwelling including erection of garage and carport.

Location: Land at Barlee Close. GR/TL 474-314

Applicant: B F Contracts Ltd.

Agent: Andrew Martin Associates

Case Officer: Mr T Morton 01799 510654

Expiry Date: 27/10/2006

ODPM Classification: MINOR

NOTATION: Inside Development Limit.

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

DESCRIPTION OF PROPOSAL: Redevelopment to retain 2 existing dwellings and provide 8 new dwellings with a parking courtyard to their rear. The new houses comprise one detached house "on the corner" of Barlee Close and Stortford Road, a row of five houses linked together at first floor level over parking places facing Barlee Close and a semi-detached pair at the rear of the site.

APPLICANT'S CASE including Design & Access statement: A lengthy statement has been submitted, which is available in full at the Council Offices and via the Council's website and sets out a detailed analysis of the site and surrounding context, policy and design principles. The following extract has been copied from it;

7.0 Summary and Conclusions

7.1 The contextual assessment of the Barlee Close site has highlighted the physical constraints, and economic and social problems that the design needs to respond to. In particular, the topography, the fear of crime, and legibility of the street scene were identified as the key issues.

7.2 By working with the existing landform, and by creating a robust, active frontage to the existing street. It will create a vital, pedestrian friendly environment, where the street is overlooked and well used, and where the distinction between public and private space is clearly defined.

7.3 The varied roofscape, massing and building heights introduce a more human scale to development within the area.

7.4 The density set out will ensure that the best and most efficient use of land is made, without reducing the available housing stock in an area with an urgent need for new residential development.

7.5 Landscaping is used to create a 'home zone' environment, where pedestrian movement is dominant over the use of the car, and drivers feel like guests within a pedestrian realm.

7.6 The development is designed to be as accessible as possible, and will be subject to most recent regulations on accessibility. Pedestrian dominance, tactile surfaces and a logical, legible layout will all serve to ensure that the local environment is safe and convenient to use. The close proximity of the site to remodelled pedestrian links will ensure that useable and safe access is provided to local facilities.

- 7.7 On this basis, it is considered that the proposal represents a sustainable and responsive design, which relates directly to its physical, social and environmental context and reflects the requirements of national and local planning policy.

RELEVANT HISTORY: UTT/0771/05/FUL Proposed erection of eight dwellings and garaging REFUSED 25 July 2005. The reason for refusal was;

The proposed development is considered to be an overdevelopment of the site, which would be out of keeping with its surroundings, to the detriment of the character and appearance of this rural village. The area is characterised by a more loose-knit and spacious pattern of development, and the proposed terrace would appear unacceptably cramped in the street scene. The proposal is therefore considered to be contrary to the aims of the Essex & Southend on Sea Replacement Structure Plan Policy CS2 and contrary to Policies GEN 2 and S2 of the adopted Uttlesford Local Plan.

UTT/1460/05/FUL Proposed erection of six dwellings and garages, construction of new pedestrian and vehicular access; alterations to existing dwellings including erection of a garage. APPROVED 03 November 2005.

CONSULTATIONS: ECC Highways: No objection subject to the conditions listed below:

1. No development shall take place until such time the developer enters into a suitable legal agreement for the existing footway on the north side of the estate road, is extended to plot no.8 as shown on the drawing plan: 06.099102 to the satisfaction of the Highway Authority.
2. The access to plot no. 3 to no.8 to be served by way of three dropped kerb crossing with the first 6m as measured from the highway boundary to be treated with an approved bound material to prevent any loose material from entering the highway not bell mouth as indicated on drawing plan: 06.099102 (in the interests of highway safety)
Policy

The above conditions are required to ensure that the development conforms to ECC Structure Plan policy: a. Safety Structure Plan Policy T8 b. Parking Standards Structure Plan Policy TI 2

1. The individual accesses onto Barlee Close should be via a simple dropped kerb.
2. The footpath would only be adopted to the turning head. The tree within this footway should be removed.

The following conditions should apply to any permission given:-

- a) Prior to occupation of each property, each vehicular access shall be provided on both sides a 1.5 metre x 1.5 metre pedestrian visibility sight splay as measured from the highway boundary. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.

Reason: To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access having regard to policy T8 of Essex and Southend-on-Sea Replacement Structure Plan.

- b) No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety and in accordance with policy T8 of the Essex and Southend-on-sea Replacement Structure Plan.

- i) Prior to occupation, each dwelling shall be served by a system of operational street lighting between the dwelling and an existing highway which shall thereafter be maintained in good repair.

ii) Steps should be taken to ensure that the Developer provides sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

Thames Water: No objection, general technical recommendations offered.

Environment Agency: No objection, technical advice offered.

PARISH COUNCIL COMMENTS: Object on grounds of over-development of the site.

It was also felt that there would be insufficient parking for residents and visitors, in an area which has only enough parking generally for residents and shop users.

In general, the Councillors agreed that the design of the scheme is good and an improvement on the previous one, but recommended refusal of the application on the above grounds.

REPRESENTATIONS: Six representations received. Notification period expired 22 September 2006.

Objections raised:

The houses will reduce daylight to the living room window of an adjoining house (Mayfield), and there are too many houses for such a small plot of land, the lovely trees in the gardens of 1 and 2 Stortford Road will be lost.

Reference is made to the earlier refusal of the application for eight dwellings, and the same decision should be made. Numbers 7 and 8 Barlee Close will have two houses erected right opposite them. There will not be sufficient space for parking, and this will result on parking in the road which will block access to the shop. Clavering is a lovely village, do not spoil it by cramming too many houses in too small a space.

Loss of privacy to 8 Barlee Close from the new plot 9, and loss of daylight. The kerbline of plot 9 will encroach on the existing driveway of 8 Barlee Close. Can the existing foul drainage cope with the extra house? Construction of the houses would cause disturbance. It is believed that a colony of bats lives in the area.

Clavering is a rural village and should remain so.

COMMENTS ON REPRESENTATIONS: Noted. Most of these issues are discussed in the following Considerations section. Whilst bats may have been seen in the area, they are highly mobile animals and will not be using this open land as an actual roost, and so there is no Protected Species issue to be considered here.

PLANNING CONSIDERATIONS including Design & Access statement: The main issues are

- 1) **Principle and Density of development (ERSP Policies BE1, CS1, CS2, & ULP Policies S3, H3.);**
- 2) **Design and amenity (ERSP Policy H4 & ULP Policy GEN2);**
- 3) **Parking provision and traffic issues (ERSP Policies T3, T12 & ULP Policy GEN8) and**
- 4) **Other material planning considerations.**

1) The development site lies within the Development Limit of Clavering and therefore in principle the proposal is acceptable. Compliance with planning standards and other policies is discussed further below. The proposed 8 houses equate to a density of 44 dwellings per hectare, which although being within the range of 30 to 50 dwellings per hectare set out in PPG3 were not accepted in the application 0771/05 which was refused as an over-development of the site, out of keeping with its surroundings. There is no reason for the Council to change its opinion on the level of development, which is also underlined by the more detailed appraisal of the design and amenity aspects set out in the following section.

In terms of sustainable location, the nearby village shop and school will provide reasonable access to shops and services without need for the use of the car, and the development would help to support local services and facilities.

2) The context of the site is that of a rural village, with its more historic core set to the north and with the Stortford Road area having a mixed character with a wide range of house types. To the rear of the application site are modern two storey houses approved in 1994 as low cost rural housing. To the south of the site beyond the supermarket stands a recently completed development of affordable housing on an “exceptions” site which has used the principles of the Essex Design Guide to provide an attractive development based upon vernacular designs.

The proposals here are for buildings that are intended to utilise traditional design features, but use features that do not sit well together and produce a rather incoherent scheme. The corner house (Plot 3) has a visually weak arch under the house supported by an isolated column that gives the appearance of being unstable. The linked houses in this row have a wide span double car width flat-topped arch separating the houses, which results in the street elevation having large and unsightly holes in it, which is disruptive to the aim of forming a street scene. The houses at plots 4/5 and 6/7 have a 9 metre high main ridge, significantly higher than the 8.3 metres ridge of the approved scheme (1441/05), and comparable height of the refused scheme (0771/05), and with a large and prominent projecting front gable that gives them an over-dominant appearance in the locality.

The pair of houses in the rear of the site, plots 9 and 10, is tucked away in a position where it makes no positive contribution to the character of the area, but where it will suffer disturbance from the use of the car parking courtyard. There is little or no design relationship to the existing houses at the east of the site, apart from being two-storey.

The pair of houses at plot 9 and 10 face the existing two storey house to the east of the site at only 10 to 14 metres separation, and as the opposing elevations have habitable room windows in them this is considered to create an overlooking situation that would be detrimental to the amenity of the occupiers of both the existing and the proposed houses.

Compared to the very successful affordable housing scheme nearby, this proposal has a suburban quality rather than a rural one, and is considered to be a poor design.

3) New development should be designed to make appropriate provision for access for all forms of transport and should promote high standards of road safety. Parking provision is to be made in accordance with published parking standards. The parking standards suggest that 2 spaces be provided per dwelling and this provision is shown. A new carport is also shown for the existing 1 Stortford Cottages, and a new garage for number 2. There is no need for any occupier to park on the street, though of course it is common for visitors to houses to park on-street, and that could cause conflicts with other residents and the supermarket.

4) No other issues arise.

CONCLUSIONS: The submitted scheme is considered to be a poor design which is unattractive and unsuitable for the location, and detrimental to the amenity of adjoining residential properties.

RECOMMENDATION: REFUSAL REASONS

1. The proposed development is considered to be an overdevelopment of the site, which would be out of keeping with its surroundings, to the detriment of the character and appearance of this rural village. The area is characterised by a more loose-knit and spacious pattern of development, and the proposed terrace would appear unacceptably cramped in the street scene. The style and detailed design of the new dwellings fails to adopt the vernacular approach to new residential development, as well as the approaches to provision of car parking, advised in the Essex Design Guide in a satisfactory manner, and the resultant development would detract from the character and appearance of the area. The proposal is therefore considered to be contrary to the aims of the Essex & Southend on Sea Replacement Structure Plan Policy CS2 and contrary to Policies GEN2, S3 and H3 of the adopted Uttlesford Local Plan.
2. The proposed development is considered to be detrimental to the amenity of the occupiers adjoining residential properties in Barlee Close by virtue of creating overlooking of habitable room windows both in those existing houses and within the proposed houses when viewed from those adjoining houses, and adversely affecting daylight to existing adjoining residential properties, contrary to the aims of Policy GEN 2 of the Uttlesford Local Plan.

Background papers: see application file.

UTT/1217/06/OP - LITTLE CANFIELD

Outline application for erection of 5 No. dwellings all matters reserved. Demolition of existing dwelling

Location: 5 Hamilton Road. GR/TL 575-213.

Applicant: & Agent Mr D Campbell

Case Officer: Mr H Laird 01799 510464

Expiry Date: 12/09/2006

ODPM Classification: MINOR

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

DESCRIPTION OF SITE: The site is located approximately 300m to the north of Dunmow Road and approximately 1.3 km to the north-east of Takeley Four Ashes junction. It lies within the boundary of Little Canfield Parish. On the 1:500 site plan, the site is depicted to measure 40 x 18m i.e. an area of approximately 750sq.m. It currently has a detached bungalow located on the western boundary with Hamilton Road. A range of flat-roofed, single storey, outbuildings stands on site adjacent the southern boundary. The site boundaries are marked by panel fencing and hedging, with a wall between the access points onto the Hamilton Road boundary. The surroundings are predominantly rural, with a small number of dwellings dotted about on either side of Hamilton Road. This site lies within the area subject to adopted Supplementary Planning Guidance 'Island Sites'.

DESCRIPTION OF PROPOSAL: This outline application is for the demolition of the existing dwelling on the site and the erection of 5 dwellings. Given the site area of 720sq.m this would result in a density of 69 dwellings per hectare. All matters relating to the layout, scale, landscaping, appearance and access for the dwellings are proposed to be determined at the reserved matters stage.

RELEVANT HISTORY: UTT/0425/88 extensions and alterations – approved 9 May 1988.

CONSULTATIONS: ECC Highways: No objection subject to the following: Hamilton Road creates a junction with the B1256 which is classified as a secondary distributor in the County's Route Hierarchy and development proposals which seek to increase the use of an existing access may be subject to capacity and safety criteria and refused whereby a proposal would allow access from a lower category road such as estate roads within Priors Green development.

Thames Water Authority: No objection.

Environment Agency: Comment regarding drainage for residential development.

ECC Archaeology: Recommends that trial trenching followed by excavation be undertaken, and that this be secured by condition as outlined in PPG 16 'Archaeology and Planning'.

PARISH COUNCIL COMMENTS: There are too many dwellings proposed for this small area, which if granted, would lead to a new standard of development in the area. Further comments advise that the surface/foul water sewage should be connected to the new drainage system at Priors Green; access/exit should be via the Priors Green Road network and should if possible, be designed in the north-west corner of the site to lessen the impact of noise on neighbours at 6 and 8 Hamilton Road; storage provision for the three bin system should be made.

REPRESENTATIONS: One letter has been received from the neighbour at 6 Hamilton Road OBJECTING to the application for the following reasons:

- Site too small to accommodate 5 dwellings;

- There are no mains drains;
- Water pressure via the 1 ½ “ mains pipe is low at times;
- Additional traffic will damage the un-made road;
- The land between Nos. 3 & 5 Hamilton Road has permission for only two dwellings on a much larger plot.

COMMENTS ON REPRESENTATIONS: The neighbours’ objections are noted, however, the necessary improvements to the road infrastructure, water supply and sewage systems can be achieved either by condition or the terms of an Agreement under Section 106 of the 1990 Planning Act. Any application for ‘Reserved Matters’ approval will be required to demonstrate that five dwellings can be adequately accommodated on the site. Supplementary planning Guidance (SPG) emphasises that the principle of development of this and the other “island sites” is acceptable.

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, ADP Takeley Local Policy 1 and DLP Local Policy 3) and**
- 2) **social, amenity and infrastructure contributions are required (DLP 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 the main Priors Green site has outline planning permission. Members will be aware that the outline permission for the main Priors Green site has been granted and the other matters will be required to be provided by Section 106 Agreement.

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 2002 prices.

ECC TOPS have verbally confirmed that the requirement for a financial contribution of £10,000 is not necessary if a transport enhancement contribution payable to the Highways Authority has already been factored into the calculations regarding the overall contributions required through the S106 agreement.

3) The comments of the Parish Council and neighbour are noted. A density of 69 dwellings per hectare (5 on 720sq.m) would be excessive given the density elsewhere at Priors Green. The applicant has been asked to remove reference to 5 dwellings and

therefore the specific number would be left until the reserved matters stage. The applicant's response will be reported. It is considered that these comments are taken into consideration in the SPG and linking of any development to that approved under UTT/0816/00/OP. It would, as they point out, be inappropriate to develop this site in isolation.

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 condition 7 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.
7. C.5.2. Details of materials.
8. C.4.1. Scheme of landscaping.
9. C.4.2. Implementation of landscaping.
10. C.4.6. Retention of trees and shrubs.
11. C.16.2. Full archaeological excavation and evaluation.
No development shall take place on the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to and approved by the local planning authority in writing.
REASON: To allow for excavation and recording of this site of archaeological importance in advance of and during development, as advised in DoE Planning Policy Guidance Note No. 16.
12. 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 condition 7 of planning permission UTT/0816/00/OP.
REASON: To secure appropriate phasing and densities in a comprehensive manner.
13. 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.
14. Noise construction levels/hours.

15. 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.

UTT/1441/06/LB - SAFFRON WALDEN

(Member interest: Cllr Baker)

Replacement front doors to east and west wings (8 No. doors).

Location: The King Edward V1 & Rev. J. Prime Almhouses Abbey Lane.
GR/TL 534-323.

Applicant: The Trustees (Chair: Mrs Baker)

Agent: Mr Graeme Knight

Case Officer: Mr T Morton 01799 510654

Expiry Date: 22/11/2006

ODPM Classification: OTHER

NOTATION: Inside Development Limit / Conservation Area.

DESCRIPTION OF SITE: The buildings consist of a Grade II Listed complex of residential Almshouses arranged in a collegiate courtyard form around a large formal front lawn facing Abbey Lane, with rear access from Park Lane.

DESCRIPTION OF PROPOSAL: This proposal is for replacement of eight doors to the two side ranges. [NB: A separate planning application has been requested for the engineering operations to form the new parking areas shown on the submitted plans].

APPLICANT'S CASE including Design & Access statement: The statement describes the existing buildings, and draws out the need to replace doors that were provided as a part of extensions to the side ranges in the 1980s, due to their poor condition. The replacement doors are intended to more closely echo the form of the doors on the main range.

CONSULTATIONS: Conservation Officer: The King Edward VI and Rev.J.Prime Almshouses date back to 1834. These attractive buildings are within the conservation area of Saffron Walden. The East and West wings flank the main building and form 3 sides of a large open grassed area to the front, bordering Abbey Lane.

The proposal is to replacement 8 front doors to East and West Wings, which are located at the rear of the ranges. The doors date back to the 1980 extension of the West and East Wings. They are solid and have attractive simple moulding to the inside. Some have been fitted with unsightly draught proofing strips and have indeed poor quality modern hardware. The main problem with the doors is their peeling paint and missing putty.

The existing doors are repairable, but as they are not of special architectural or historic interest, their replacement could be acceptable in principle, subject to a suitable style of new units. The proposed new doors are not acceptable because of the use of untraditional sloping elements within the top panels.

Recommend approval subject to the following conditions:

1. All new doors to match existing historic doors like Nos 5 & 6 in every detail, and to be painted timber.
2. Door furniture to match those on rear block or to Local authority approval.
3. Large scale door details to be approved prior to the commencement of works.

TOWN COUNCIL COMMENTS: No objections.

REPRESENTATIONS: This application has been advertised and no representations have been received. Notification period expired 21 October 2006.

COMMENTS ON REPRESENTATIONS: None.

PLANNING CONSIDERATIONS including Design & Access statement: The main issues are

- 1) effect upon the Listed Buildings(ERSP Policy HC3,& ULP Policy ENV2.);
- 2) effect upon the Conservation Area (ERSP Policy HC2 & ULP Policy ENV1).

1) Subject to minor changes to detailing, as outlined above, the replacement doors are more sympathetic to the style and appearance of the doors on the main block, and are considered to be satisfactory.

2) The changes to the appearance resulting from the new doors are minimal and will have no impact upon the character or appearance of the Conservation Area.

4) No other issues arise.

CONCLUSIONS: Approval is recommended, subject to conditions.

RECOMMENDATION: LISTED BUILDING CONSENT WITH CONDITIONS

- 1. C.2.2. Time limit for commencement of development - listed buildings & conservation areas.
- 2. C.3.1. To be implemented in accordance with approved plans.
- 3. C.17.1. Revised plan required
- 4. C.5.8. Doors and frames to be painted timber.
- 5. All new door furniture shall match that used on other doors on the rear block of the listed building, details of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of the works. Subsequently, the door furniture shall not be changed without the prior written consent of the local planning authority.
REASON: To ensure a higher quality of development which is compatible with the historic character and appearance of the listed building as a whole.
- 6. C.5.17. Window & door details and sections to be submitted and agreed.

Background papers: see application file.

UTT/1529/06/FUL - WHITE RODING

(Referred by Cllr Flack)

Single storey rear extension and replacement garage and construction of new access.

Location: Chimneys Church Lane. GR/TL 563-133.

Applicant: Mr & Mrs P Trendall

Agent: Matt Lamberton Chartered Architect

Case Officer: Miss G Perkins 01799 510467

Expiry Date: 11/12/2006

ODPM Classification: OTHER

NOTATION: Within Metropolitan Green Belt/ Outside Development Limits.

DESCRIPTION OF SITE: The site is located within the Green Belt on the eastern side of Church Lane in White Roding. The land is currently developed with a detached bungalow and there is a thick hedge along the front boundary of the site. There is also hedging around the remaining perimeter of the site. Access to the site is off an existing driveway and the garage is detached from the main bungalow. There is a ditch along the front boundary of the site however this is not proposed to be affected by the development.

The surrounding area is loosely developed with several listed buildings mostly and there is a significant amount of vegetation in the area. Generally the surrounding dwellings are double storey or chalet style dwellings.

DESCRIPTION OF PROPOSAL: It is proposed to extend the rear part of the existing dwelling as follows:

- demolition of the rear section of the existing dwelling and garage;
- construction of an extension to the bedroom and to the kitchen, dining and utility area;
- construction of a replacement garage in a similar location to where the existing garage is located;
- the floor area of the extension amounts to 64m².

In the plans originally submitted with the application, there was an alteration proposed to the access. These plans were subsequently revised and the plans that form the basis for this assessment were lodged on 12 October 2006.

APPLICANT'S CASE including Design & Access statement: No supporting statement was provided with the application and a design and access statement was not required as this is a dwelling extension.

RELEVANT HISTORY: There are several historical applications that are considered relevant to the consideration of this application and these are summarised below. In particular officers have referred to the previous extensions to determine the extent of the additions relative to the 'original' dwelling.

- UTT/1441/86- Application for dwelling extensions was approved;
- UTT/006/87- Application for utility addition and alterations to roof was approved;
- UTT/0693/88 – Application for porch addition was approved;
- UTT/0934/02 – Application for conservatory was approved.

Based on the approximate areas of the previous extension it has been estimated that the original bungalow would have had an area of 72m².

More recently planning application UTT/0913/06/FUL for the construction of a replacement dwelling and filling of the ditch at the front of the site was withdrawn.

CONSULTATIONS: ECC Highways: Original Plans: Objected to the amended access point as this would lead to the creation of a substandard access to Church Lane where the vision splay to the right measured at 24m does not meet the minimum stopping site distance of 90m for the 30mph speed limit and would therefore be detrimental to highway safety. Following these comments, the applicant amended the plans and deleted the component regarding amending access.

Revised Plans: To be reported.

PARISH COUNCIL COMMENTS: Original Plans: No objection.

Revised Plans: To be reported.

REPRESENTATIONS: This application has been advertised and two representations have been received. The concerns raised in the representations can be summarised as follows:

- Believe that the ditch is shown on the site plan along with the greensward are the property of Highways and the Village HM Land Registry. Consequently the inner hedge and ditch should remain but the outer hedge removed, gullies across the greensward reinstated to facilitate the considerable water shed.
- Why re-site the entrance and plant another hedge which would take away more greensward
- There is no mention of the 12m high walnut tree which should be protected and the location of trees should be shown on the plans
- The boundary of the property starts behind the ditch
- The ditch at the front of the site is important habitat for wildlife and any disturbance would affect its inhabitants. Any intrusion could affect wildlife.

The application was re-advertised for a period of 14 days following the submission of revised plans. The second period for comments expires on 30 October 2006.

Any additional or amended representations that are received will be forwarded to the Committee prior to or at the meeting.

COMMENTS ON REPRESENTATIONS: The comments which are material to the consideration of the application will be discussed in the planning considerations section of the report. Particular comments are made about the following however:

- Several concerns have been raised regarding the ownership of the front section of the land. The application was referred to Highways for comment and they did not raise this as an issue. Furthermore the land where the extension is proposed is well away from the front section of the site, therefore this is not considered relevant to this proposal.
- Some concerns were raised initially about the new access. This has now been deleted from the application in the amended plans received on 13 October 2006 so these comments are no longer relevant.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) the extension is appropriate within the metropolitan greenbelt (PPG2 ERSP Policy C2);
- 2) scale, form and appearance of the extension respects the original dwelling (ULP Policy H8, GEN2 & SPD Home Extensions);
- 3) the proposed extensions are likely to affect significant vegetation or protected species (ULP Policy ENV8).

1) Members will be aware that planning legislation requires planning authorities dealing with an application to have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. If regard is to be had to the Development Plan the determination must be made in accordance with the plan unless material considerations indicate otherwise.

In general terms the Development Plan is the Regional Spatial Strategy for the region in which the authority is situated, and the Development Plan documents which have been adopted or approved in relation to that area. In Uttlesford's case this means the Regional Planning Guidance for the South East (RPG9) 2001, the ERSP 2001 and the ULP 2005.

The RSS contains clear reference and links to greenbelt policy set out in PPG2. The ERSP contains policy C2 which is very similar to controls on development in PPG2. Both these documents are material to the determination of an application for an extension to a dwelling in the greenbelt. In addition the local plan contains a policy H8 relating to house extensions. This policy is also relevant to the application and is discussed in section 2 below.

Policy C2 and PPG2 indicate that home extensions other than limited extensions will not be granted unless very special circumstances exist. PPG2 specifies that it is the original dwelling which is the starting point for considering the acceptability of an extension. Consequently the policy would indicate that even if the extension subject to the application is small, if the property had been extended significantly in the past, the proposal would be contrary to policy. This is the situation in this case. The extension itself is not particularly large but the resultant dwelling would have had more than limited extensions in comparison to the original dwelling. No very special circumstances have been demonstrated. Consequently the proposal is contrary to Greenbelt policy.

2) ULP Policy H8 applies to home extensions, as does the Home extension Supplementary Planning Document (SPD). The policy and SPD state that extensions will be permitted where all the following criteria is met:

- the scale design and external materials respect those of the original building;
- there would be no material overlooking or overshadowing of nearby dwellings;
- development would not have an overbearing effect on neighbouring properties.

Officer's main concern about the application relates to the scale of the extensions relative to the original building. While the extensions in themselves appear quite modest, they are not when compared to the original building. A significant amount of extensions have been approved in the past and the original dwelling had a floor area of approximately 72m². Later 65m² of extensions have been allowed and a further 64m² of extensions are proposed under this application. Taking the replacement garage into account this would still equate to extensions to the dwelling in the order of 120m² which is more than doubled the original dwelling.

An extension which doubles the size of the dwelling is not considered to respect the scale of the original building. Since this policy requirement has not been fulfilled the application fails to meet ULP Policy H8, accordingly the application should be refused.

In response to the two other policy requirements it is not considered that the extension would have an overbearing affect on the neighbouring properties or unreasonably affect the amenity of the area.

3) A concern that has been raised in several of representations is that the proposal will affect vegetation on the site and the protected fauna that may exist in the ditch at the front of the site. ULP Policy ENV8 aims to protect landscape elements and there is also separate DEFRA legislation under the Conservation (Natural Habitats &c) Regulations 1994 for protection of species.

Officers would also note that there are no Tree Preservation Orders on any of the trees on the subject site.

The works on the site are proposed to occur away from any trees on the land and there is no new access proposed that would affect the ditch at the front of the site. Officers therefore consider that the development will not unreasonably affect any flora or fauna on the site.

CONCLUSIONS: There are several policies that are relevant to the assessment of this application. Council officers consider that the proposal does not meet some of the policy requirements for development within the Green Belt and impacts on vegetation, and it does not meet the home extensions policy H8. It is considered that the scale of the extension fails to respect the original dwelling. It is not considered that there are any overriding material considerations that warrant support of the application.

RECOMMENDATION: REFUSAL REASON

The scale of the extensions is considered excessive relative to the original bungalow and does not respect the scale of the original building. Accordingly the proposal fails to meet the policy objective of PPG2, ERSP Policy C2, ULP Policy H8 and the SPD Home Extensions.

Background papers: see application file.
