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## **UTT/0039/07/FUL - SAFFRON WALDEN**

Retention of existing telecommunications mast for further period of 12 months

Location: Shirehill Works. GR/TL 548-381.

Applicant: Airwave O2 Ltd

Agent: CAP

Case Officer: Mr T Morton 01799 510654

Expiry Date: 14/03/2007

Classification: MINOR

**NOTATION:** Inside Development Limit.

**DESCRIPTION OF SITE:** The application site is located on land within Shire Hill Industrial Estate associated with Pedley Furniture. The site is partially fenced-off from Shire Hill with 1.8 metre high metal fencing with some landscaping in front. There are numerous vehicles parked and stored in connection with the Furniture business on the site. There is an existing mobile telecommunications mast adjacent to the site in question and lighting columns are also visible in the skyline.

**DESCRIPTION OF PROPOSAL:** This application seeks to retain a 15 m high telecommunications mast, 3no. dishes, equipment cabin, ancillary equipment and compound, for a temporary period. This was originally granted under UTT/1229/03/FUL, and renewed under UTT/1721/04/REN.

**APPLICANT'S CASE including Design & Access statement:** The statement is available in full on file. It describes the site and surroundings and the proposal. The developers are currently involved with achieving a site sharing agreement on an adjacent mast to be built in conjunction with T mobile and there have been delays in constructing that facility. In the meantime, a further temporary solution is required to provide coverage in this area until the permanent system is in place

**RELEVANT HISTORY:** On 22 September 2003, Members agreed to the temporary approval of this mast for one year. This time limit expired on 30 September 2004, and planning permission was again renewed. UTT/1946/05/REN gave a further period of consent until 31 December 2006.

**CONSULTATIONS:** No representations received.

**TOWN COUNCIL COMMENTS:** No objection.

**REPRESENTATIONS:** This application has been advertised and no representation has been received. Period expired 14 February 2007.

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

- 1) **Telecommunications development (ULP Policy T4) and**
- 2) **Other material planning considerations.**

1) The main issue is whether the proposed temporary mobile telecommunications base station is an acceptable form of development at the proposed location (ULP Policy T4). Policy T4 states that

*Telecommunications equipment will be permitted if the following criteria are all met:*

- a) *There are no practicable alternatives such as mast sharing;*

- b) *There is a technical requirement for the equipment that outweighs its visual impact;*
  - c) *The equipment is designed and located so as to reduce its impact as far as possible;*
- The proposal complies with the safety requirements of the International Commission on Non-ionising Radiation Protection (ICNIRP)*

The key considerations therefore are whether there are any practicable alternatives such as mast sharing and whether the technical requirement for the equipment outweighs its visual impact.

The proposed development is intended to provide radio coverage for the Police Force in and around Saffron Walden. The coverage maps supplied with the original application show the situation without the proposed mast, with the proposed mast and the mast in isolation. The yellow areas show the greatest strength of coverage. The developers are currently involved with achieving a site sharing agreement on an adjacent mast to be built in conjunction with T mobile and there have been delays in constructing that facility. In the meantime, a further temporary solution is required to provide coverage in this area until the permanent system is in place. It is envisaged that the development will only be required for a period of no more than a further twelve months and will be removed afterwards.

The development meets the safety guidelines stipulated by ICNIRP (International Committee for Non-Ionising Radiation Pollution) and therefore would prove difficult to refuse on health grounds alone, especially as there are very few residents within the immediate locality.

From a visual perspective, the mast is quite prominent within the immediate locality to people working at the Shirehill industrial estate, however, landscaping schemes would seem inappropriate for a temporary structure and the general visual quality of the area could not justify an alternative to the design. The proposed adjacent mast which would be taller, was refused by the Council on visual amenity grounds, but approved on Appeal nonetheless.

- 2) No other issues are considered to arise.

**CONCLUSIONS:** On balance, it is considered that, in view of the constraints regarding the provision of communications facilities in Saffron Walden to cater for the Police Force within the immediate timescale as well as the technical need for such facilities, such requirements should outweigh the potential visual impact of the proposed development. The temporary nature of the proposal could be confirmed with planning conditions to prevent long-term use of this site for other mainstream users. This site may not be appropriate for long-term use and should be limited to a maximum of one year. On balance therefore, the renewal of this scheme should be acceptable.

### **RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. The development and uses hereby permitted shall cease operation on or before 28 February 2008 and any apparatus or structure provided in accordance with the permission shall be removed from the land within 28 days of the expiry of this permission or cessation of the use (whichever is the sooner) and the land shall be restored to its original condition before the development took place, unless agreed otherwise in writing with the local planning authority.  
REASON: The application is approved on a temporary basis only in view of technical and operational requirements for the equipment and its intended use.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no extensions shall be constructed to this mast without the prior written permission of the local planning authority.  
REASON: To protect the character and appearance of the area.
3. The mast hereby approved shall only be used by the Emergency Services.

REASON: The site is not suitable for a mast for commercial mobile telecommunications.

*Background papers: see application file.*

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**1) UTT/1367/06/FUL 2) UTT/1368/06/LB - TILTY**

***(Referred at request of Cllr Down)***

***(Reasons: Controversial in the Parish)***

- 1) Change of use of redundant mill and associated outbuildings to residential unit
- 2) Change of use of redundant mill and associated outbuildings to residential unit.

Demolition of outbuilding

Location: Tilty Mill. GR/TL 598-266.

Applicant: Mr & Mrs Collinson

Agent: Strutt & Parker

Case Officer: Mr M Ranner 01799 510556

Expiry Date: 01/12/2006

Classification: MINOR

**NOTATION:** Outside of development limits/Grade II\* listed building.

**DESCRIPTION OF SITE:** The application site comprises a redundant 18<sup>th</sup> century grade II\* listed former watermill of brick construction, with half hipped tiled roof with a gablet at one end and a weather boarded lucam (for sack hoisting) at the other. It has been disused for many years and as a consequence the buildings condition has deteriorated. A number of connected outbuildings extend to the rear of the mill building which occupy an L – shaped footprint and form a small enclosed yard. Further buildings, which are detached from the mill, are located adjacent to its northern side, close to the vehicular access track, which extends approximately 250 metres to the east where it meets the public highway. This track also serves a pair of detached cottages which are located approximately 18 metres to the south of the mill building, but do not form part of the application site. Open fields and woodland form the landscape to the north and west and to the south east and within sight of the mill there are the remains of a Cistercian Abbey (founded in 1153), which has been designated a scheduled ancient monument. A public foot path follows a route just to the west of the Abbey ruins to the Mill, where it then divides following routes to the north and west directly past the Mill building.

**DESCRIPTION OF PROPOSAL:** The proposal involves both works of conversion and new build and has been described by different parties as conversion or new building depending on the emphasis given to the two parts of the scheme. In essence these applications relate to the demolition of outbuildings attached to the mill building and their replacement with a part single storey/part two storey dwelling. The new dwelling would be attached to the mill building which would be restored and become part of the dwelling. The ground floor of the mill would become an entrance hall, the first floor would become a lounge and the second floor/roofspace would become a game room.

The new build would be utilise the same L – shaped footprint and would be comprise a series of interconnecting elements, characterised by varying roof heights, with black stained weather boarding to the elevations and clay plain tiles to the roofs used throughout. The majority of the new built form will be of single storey construction only, with two first floor elements, within the wing sited furthest from the Mill itself.

A link to the rear of the Mill building will access the Kitchen, which will in turn lead into a utility room, WC, dining room and play room, all accommodated within the new ground floor element of the scheme. From the playroom the part two storey wing of the building is accessed, which provides three en-suite bedrooms at ground floor and a further two en-suite bedrooms at first floor. Amenity areas are to be formed adjacent to the southern side of the proposed new build extension and also immediately to the rear of the Mill building. Three

existing detached out buildings are proposed to be converted to form a separate games room, a triple bay cart lodge and a general store.

**APPLICANT'S CASE including Design & Access statement:** A Design and Access Statement accompanies the application, which covers design principles, concepts and access issues. Detailed supporting information also accompanies the application, the main summary of which is replicated as follows:

“Tilty Mill is a Grade II\* listed building and located in Tilty, approximately 4 miles north of Great Dunmow. The Mill is currently in a poor state of repair and the condition is deteriorating due to vandalism. It is considered important to agree an appropriate scheme to ensure works can take place to prevent the building falling into further disrepair.

Prior to the submission of this application, all interested parties have been involved in working with draft plans to compile a scheme which is appropriate. Every effort has been made to consult and work with Barbara Bosworth and English Heritage to ensure that the scheme submitted is agreed as the most appropriate use for the Grade II\* Listed building.

The proposal is to restore the Mill and include an element of new build to provide a five bedroom residential unit. The proposal will utilise the footprint of the existing buildings for the new build, enabling the Mill is conserved, along with the internal machinery.

Tilty Mill is considered appropriate for the proposed development which will ensure the preservation of the building. The proposed design aims to maintain the character of the building and the number of openings has been minimised. The new build is designed to be sympathetic to the character of the surrounding area and the Mill. The residential conversion will enable the Mill to be restored and is considered to be the only viable option for the long term retention of the Mill.

This application is supported by local, regional and national planning policies. On this basis it is hoped that the Council can be supportive of this application.”

**RELEVANT HISTORY:** There is no relevant planning history pertaining to the site.

**CONSULTATIONS:** Natural England: has raised no objections to the proposed development, although offer advice on protected species.

English Heritage: encourages the Council to approve the application and offer detailed advice concerning the preservation of the internal workings of the Mill. Their summary recommendation is replicated as follows:

“In the absence of any reasonable prospect of the restoration of Tilty Mill as a mill, English Heritage considers the present proposals to provide a well-conceived and sympathetic scheme for the repair and conversion of the building. We recommend that your Council approve the applications for listed building consent and planning permission, subject to the caveats in respect of the detail of the scheme, the repair of the machinery and the treatment of the fittings and loose equipment noted above.”

The Essex Mills Group: has raised objections to the proposal and state that it would severely damage the integrity of the building.

The Environment Agency: raises no objections to the proposal providing conditions are imposed on any planning permission concerning a flood evacuation plan, flood proofing measures and ecological appraisal.

The Society for the Protection of Ancient Buildings (Mills Section) raises objections to the application as they consider that the conversion as detailed in the drawings would have a harmful impact on the character and original fabric of the building. The Society state that there are no reasons why the new house needs to incorporate the mill at all and there is no justification to subdivide the building as proposed with a series of glazed screens. A return of the building to its original use is advocated and considered the approach most in line with best practice in conservation. The Society also states that one of their members expressed an interest in purchasing the mill as a response of the for sale advertisement in 'Mill News' but received a dismissive response.

Save Britain's Heritage expresses concerns at the proposal due to the implications of the conversion on the fabric of the building. A condition requiring the repair of the mill is considered vital and the organisation also considers there to be no link between the redevelopment of the mill outbuildings and the repair of the mill and its machinery.

The Ancient Monuments Society: defers their response to the Mills Section of The Society for the Protection of Ancient Buildings.

The Council for British Archaeology: express concerns at the proposal and indicate that the information provided with the application is poor. As such the Council would prefer to see the building retained as a working mill.

The Essex Society for Archaeology and History: recommend that the mill and its machinery remain undisturbed in its historic setting. If permission should be granted then the Society considers that it should take into account the whole of this significant historic site in a remote rural area. Also conditions should be imposed to ensure that a full record of the mill and its machinery is made and that any machinery must be removed with great care by a suitable organization for use elsewhere and that a full archaeological investigation of the site is carried out.

The Campaign to Protect Rural Essex: express concerns about the proposal as it is considered that a residential conversion would destroy the essential character of the mill in its present original condition.

Essex County Council: recommends that the application is refused for the following reason:

"Due to the historical nature and interest of "Footpath 16" the highway authority wishes to raise an objection to the above application as it will be adversely affected by development."

Essex County Council archaeological section: recommend that a condition be imposed on any planning permission requiring that the applicant secure the implementation of a programme of archaeological recording in accordance with a written scheme of investigation.

Design Advice:

"I consider that the proposed scheme is sensitive and mindful of the many nuances, which have to be considered in cases like this. The new structure would follow the footprint of the dilapidated outbuildings, which at one time supported the working mill. Its architectural make up would be in the form of rural farm buildings with the use of traditional featheredge boarding and clay tiles. The conversion of the mill is intended to be low key. It is intended to retain and repair the machinery and leave the internal spaces little altered.

In conclusion and on balance, I consider that this proposal would not only allow for the character and the fabric of the mill to be preserved but also would provide a realistic and

sound basis for its ongoing maintenance in the future. I recommend approval subject to the following conditions

- New house not to be occupied until the total repair is completed.
- All machinery and fittings other mill features to be retained and repaired as necessary.
- All repairs to the mill to be carried out in like for like basis using matching materials. Full professional schedule of repairs to be approved prior to the commencement of works.
- All weatherboarding to new build to be featheredge and painted.
- All new roofs to be hand made plain clay tiles to LA approval.
- All additional conditions as suggested by English Heritage to be incorporated.

**PARISH COUNCIL COMMENTS:** Tilty Parish Council raises objections to the proposal and their concerns are summarised as follows:

- Would prefer to see the mill fully restored as a working mill as it is one of the few still left in its original state.
- If this is not possible then the mill should be restored and converted as shown on the drawings if this is the only way that the mill could be preserved.
- Due to the sensitive nature of the locality, if planning permission is given then a full archaeological survey must be undertaken.
- Information provided by local residents would seem to suggest that approaches have been made to buy and restore the mill although these have been discouraged.
- If converted would the public be able to see the workings of the mill again and how long would they be kept in working order following conversion.
- A large 5 bed house would look out of place in this area and would be against the Council's policy of encroaching into the countryside.
- It would be possible to build a smaller, stand alone house and restore the mill with the proceeds.
- It is located within the HOSS (Home Owner Support Scheme) and as such the planning permission if granted could remain unimplemented, whilst the mill continues to fall into disrepair.

Great Easton Parish Council raises objections to the proposal and expresses concerns that a grade II listed building is being proposed for demolition to be replaced with a new residence. The Council also state that although the public foot path is overgrown there are plans to clear it, as a result of the request of local residents.

**REPRESENTATIONS:** Twenty nine letters of objection have been received from twenty four households, both local and further a field. The main points of concern raised are summarised as follows:

- The mill is capable of reuse for the purpose it was intended – as a working mill.
- Approaches have been made to purchase the mill to restore it as a working mill but approaches have been declined.
- This is the last complete example of a mill. Uttlesford has already lost other mills.
- The building is totally unsuitable for residential use due to its machinery and its siting underneath the end of the proposed Stansted second run way.
- There is no need for extra housing.
- The building should only be restored to a working mill or a museum.
- The building should have been repaired years ago under a repair notice. Uttlesford have failed in their duties in this respect.



- No price was stated on the sales particulars and requests for viewings were resisted.
- If restored it would be a valuable historic and educational asset for the district of Uttlesford and for visitors alike.
- It is an industrial building and its residential conversion and the alterations required to make it habitable are totally at variance with its essential character.
- The proposed house would be intrusive in a very special piece of landscape, which contains the remains of the Abbey and relics of the WWII GHQ Stop Line, including a rare example of a disguised pill box.
- One small advert in the Mill News was insufficient.
- The public foot path should not be diverted away from the mill and the mill pond.
- This is an unwanted development, that if allowed would struggle to find a purchaser due to its proximity to the end of run way two at Stansted Airport.
- Contrary to policy RE2 of the Uttlesford Local Plan.
- The proposal will have a harmful impact on a grade I scheduled monument, with the mill abutting directly onto the site of the Abbey, which falls under the protection of English Heritage.
- The application lacks sufficient detail concerning the repair of the mill.
- It must be restored and made available for the public.

A petition opposed to the application has been received containing 124 signatures.

A letter from the RT. Hon. Sir Alan Haselhurst, M.P has also been received requesting information on the application following the receipt of a letter from a constituent.

**COMMENTS ON REPRESENTATIONS:** Matters of material importance to the consideration of this application will be addressed during the following section of this report.

**PLANNING CONSIDERATIONS including Design & Access statement:**

The main issues are

- 1) **The appropriateness of the proposed development within the Countryside (ULP Policies S7& H6);**
- 2) **The suitability of the building for residential conversion and other alternative uses (ULP Policies GEN2, ENV2 & H6);**
- 3) **The impact of the proposed conversion works and whether they respect and conserve the characteristics of the building (ULP Policies GEN2, ENV2 & H6);**
- 4) **The proposed diversion of the public right of way. (ULP Policy GEN1);**
- 5) **The ecology of the site (ULP Policies GEN7) and**
- 6) **Other material planning considerations.**

This application is brought before Committee at the request of Councillor Mrs Down.

- 1) Policy S7 of the Local Plan indicates that development will only be permitted if protects or enhances the particular character of the part of the countryside within which is set or there are special reasons why the development in the form proposed needs to be there. The conversion of buildings to residential use can constitute appropriate development within the countryside if in accordance with policy H6.

Substantial building reconstructions or extensions will not be permitted under this policy. The proposal, which involves significant new build, fails in this respect, but Officers consider that the conversion to a residential use represents the most likely and best means to secure the building's future. The significant new build will enable the restoration of the building to be financed and thus secure its long term retention, which in the view of officers is an important material consideration in this case that constitutes a special justification for the development

within the countryside in compliance with Policy S7 and also to warrant a departure from the local plan in respect of Policy H6.

2) Officers acknowledge that the Mill itself is not particularly suited for conversion to other alternative uses, due to the amount of internal space within the building that is occupied by the former working machinery of the mill. This has informed the design of the proposal and the need to construct the majority of the accommodation within the new build extension to the rear of the original building. This form of 'conversion' is likely to be less damaging than a more conventional conversion.

It is clear from third party responses that there is a preference to restore the building back into its former working order as a water mill. This would be the preferable option from a conservation perspective, however, a realistic approach has to be taken as to the possibilities of this and the practicalities involved. The property was advertised in the October 2005, Society for the Protection of Ancient Buildings 'Mill News' publication and a number of enquiries followed, with two individuals expressing interest in restoring the building back into a working mill. No guide price was offered, however, no firm offers of any kind were said to have been received from these individuals. Criticism has been levelled that the property was only marketed in a single publication. Normally this wouldn't be considered sufficient, however an advertisement placed in this quarterly magazine, due to its specialised nature, could have reasonably been expected to have been sufficient to ensure that enthusiasts would have become aware of the sale. In the absence of any offers, no proposals have been put forward as to how the restoration of the building to a working mill could be achieved in light of the considerable financial resources required and how a working mill would be viable, either economically or practically.

The advice of paragraph 3.8 of PPG15 'Planning and the Historic Environment', is that generally the best way of securing the upkeep of historic buildings is to keep them in active use, and that for the great majority this must mean economically viable uses if they are to survive, and new uses will often necessitate some degree of adaptation. Paragraph 3.9 goes on to advise that judging the best use requires balancing the economic viability of possible uses against the effects of any changes they entail in the special interest of the building in question. For the aforementioned reasons, officers recognise that the most viable use for the building would be as a residential property, although in light of the requirements of PPG15, such a use can only be justified if the conversion works required are sensitive to the character, appearance and original fabric of the building.

3) Concerns have been expressed by some, with regard to the physical works proposed, although officers are confident that many of these concerns can be overcome by the imposition of conditions as suggested at the end of this report. English Heritage has had extensive involvement in the proposal and has viewed the building in detail as has the Council's Conservation Officer. Both support the application as the best means of securing the mill's future retention and consider the proposal to be a carefully conceived and as sympathetic as possible to the special interest of the mill. A number of conditions are recommended to ensure that the restoration of the mill and all the machinery is carried out satisfactorily and retained as part of the scheme and these conditions are also set out at the end of this report.

The new build extensions to the rear of the mill building will follow the footprint of the existing dilapidated buildings which are to be demolished, and the design of these extensions fully complies with conservation advice. Traditional in appearance and materials they will achieve a good degree of subservience with the listed building and as consequence will neither detract from the setting of the listed building nor dominate it. Suggestions have been made, to construct a separate new build dwelling in order to finance the restoration. This however would be difficult to accommodate in the rural locality and would likely have a greater visual

impact on the countryside, including the nearby ancient monument and the setting of the mill, than the subservient range of buildings currently proposed, which closely follow the pattern of historic development that has occurred over the years to the rear of the mill building.

The detached outbuildings to the north east are to be retained and repaired as part of the scheme in order to maintain the setting of the mill, with the open fronted cart lodge used for car parking and the building containing the hidden pill box retained in its entirety and used for storage purposes.

4) Turning to other matters, public footpaths 13 and 16 currently cross the site and the applicant is intending to divert the footpath, to preclude access directly adjacent to the mill building for, officers assume, reasons of privacy, following conversion to residential use. Part of footpath 16 does not appear to have been used for some time due to its overgrown state but has very recently been cleared. Both the Parish Council and the County Council object to the diversion. It will result in a longer route for walkers who approach from the south via footpath 13 and then wish to join foot path 16. However, officers are of the view that the new route will be no less attractive for walkers and the longer route (by approximately 65 metres), will not be of sufficient harm in isolation, to warrant the refusal of this planning application or outweigh the benefits afforded by the scheme in hopefully securing the future retention and restoration of the listed mill. Also of consideration in cases such as these is that the grant of planning permission will give no entitlement to affect the public rights of way that cross the site. Any diversion, extinguishment or creation of a public right of way needs its own legal authority before any works affecting the right of way can be commenced.

5) With regard to ecology, a Bat Survey and Ecological Assessment accompany the application. The Bat Survey found no evidence of bats within the Mill or the associated outbuildings, largely as a result of the lack of suitable roosting crevices and the state of dereliction of several of the buildings. The surrounding area has been identified as suitable habitat for foraging bats although this is not expected to be affected by the proposal. The Ecological Assessment recommends that a Great Crested Newt Survey be undertaken prior to any works likely to affect their habitat is undertaken and also that works do not take place between March to September in order to avoid disturbing nesting birds. These matters can be adequately dealt with by condition, and these are suggested at the end of this report. Natural England has raised no objections to the proposed development on ecological grounds.

6) Concerns have been expressed with regard to the archaeology of the site, which due to its historical importance is of particular importance. In accordance with Essex County Council advice, a condition is recommended, in order to ensure that an appropriate programme of archaeological recording takes place, in accordance with a written scheme of investigation.

A Flood Risk Assessment was submitted with the application and in light of this document, The Environment Agency, raises no objections to the application on the basis that a number of conditions are imposed on any planning permission. Again these are recommended at the end of this report.

Turning to residential amenity, two semi detached cottages are located just to the south of the application site. Windows from the converted mill will face the front of these properties, with a separation distance of 18 metres retained between the two. This is considered acceptable in this case and not of significant harm to warrant the refusal of the application, taking into account all other material considerations. Private amenity areas to the rear of both neighbouring properties will also remain unaffected by the proposal.

Comments have been made in respect of the HOSS Scheme (Home owner Support Scheme), which concerns the possibilities of a new second run way at Stansted Airport and the subsequent purchase arrangements of those properties affected. Officers acknowledge that a second run way could potentially affect the viability of a conversion scheme of this nature, however due to the uncertainties still surrounding the airport expansion; this is not a matter that could constitute a material consideration at this stage. A level of uncertainty always exists following a grant of planning permission in most cases as it is at the discretion of the applicant as to whether they actually implement any approvals granted by the Council.

**CONCLUSIONS:** In light of the above considerations, despite third party opposition to the proposal, Officers consider the sympathetic conversion and restoration of the mill as residential accommodation, represents the most practical and viable option available to secure the Mill's long term retention. This consideration constitutes a special circumstance in this case to warrant a departure from Local Plan Policy H6 of the Local Plan. In all other respects the proposal is considered acceptable. As the application involves a grade II\* Listed Building, the resolution of Members of the Committee will have to be referred to the Secretary of State for consideration.

### **RECOMMENDATIONS:**

#### **1) UTT/1367/06/FUL – APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement
2. C.4.1. Scheme of landscaping to be submitted and agreed.
3. C.4.2. Implementation of landscaping.
4. C.5.1. Samples of materials to be submitted agreed and implemented.
4. Full details of the renovation works required to be undertaken to the three out buildings, labelled 'games room', 'parking' and 'store' on approved drawing no. 4130:6 rev A, shall be submitted to and approved in writing prior to the commencement of any works on site.  
REASON: For the avoidance of doubt as to the scope of this permission and to safeguard the setting of the grade II\* Mill Building.
5. The covered parking bays shall remain open and shall not be altered or in filled unless otherwise agreed in writing by the local planning authority.  
REASON: In the interests of the appearance of the development.
6. C.7.1. Details of external ground and internal floor levels to be submitted agreed and implemented – extension.
7. C.8.27. Drainage Details to be submitted agreed and implemented.
8. C.8.31. Demolition recycling of materials.
9. No conversion or groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.  
REASON: To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation.
10. Prior to the commencement of the development a survey of the site for Great Crested Newts shall be carried out to establish their presence or otherwise. Prior to the commencement of the survey details of the methodology shall be submitted to the local planning authority for approval in writing. 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. The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority.  
REASON: To provide protection to legally protected or rare species.
11. C.20.4. Condition for Restricting Construction Works to a Specified Season to Protect Breeding Bird etc.

12. Prior to the commencement of the development hereby permitted, detailed drawings depicting the private curtilage of the newly created residential unit, shall be submitted to and approved in writing by the local planning authority.  
REASON: To safeguard the rural character of the site and for the avoidance of doubt as to the scope of this permission.
13. The new dwelling house shall not be occupied until the listed building is fully restored and repaired to the satisfaction of the local planning authority, and confirmed as such in writing.  
REASON: In the interests of the historical and architectural character of the listed building.
14. Prior to the occupation of the development hereby permitted, a flood evacuation plan, including evacuation routes and procedures, shall be submitted to and agreed in writing by the local planning authority, in consultation with the Environment Agency.  
REASON: To ensure the appropriate protection to the occupants.
15. Prior to the commencement of the development hereby permitted, and scheme for the provision and implementation of flood proofing measures shall be submitted to and agreed in writing with the local planning authority. The scheme shall be carried out in its entirety before the development is first occupied and constructed and completed in accordance with the approved plans.  
REASON: To minimise the damage to the development in the event of flooding and enable a faster recovery once floodwaters have subsided.

**2) UTT/1368/06/LB – LISTED BUILDING CONSENT WITH CONDITIONS**

1. C.2.2. Time limit for commencement of development listed buildings.
2. C.5.5. Clay plain tiles – hand made.
3. All weatherboarding shall be feather-edged and of a painted finish to be agreed in writing by the local planning authority. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.  
REASON: In the interests of preserving the historic character and appearance of the listed building and its setting.
4. All machinery, fittings and other mill features shall be retained and repaired as necessary in accordance with details submitted to and approved in writing by the local planning authority.  
REASON: In the interests of preserving the historic character and appearance of the listed building and its setting.
5. All repairs to the listed building are to be carried out in a like for like basis using matching materials. A full professional schedule of repairs shall be submitted to and approved in writing by the local planning authority, prior to the commencement of the works hereby approved.  
REASON: In the interests of preserving the historic character and appearance of the listed building and its setting.
6. The existing external door to the ground floor shall be repaired in accordance with the repairs schedule as required by condition 5 of this consent, and shall be retained in situ.  
REASON: In the interests of preserving the historic character and appearance of the listed building and its setting.
7. Detailed drawings depicting all internal glazed screens shall be submitted to and approved in writing by the local planning authority, prior to the commencement of the works hereby permitted.  
REASON: In the interests of preserving the historic character and appearance of the listed building and its setting.

*Background papers: see application file.*

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## **UTT/0178/07/FUL - CLAVERING**

Erection of 8 No dwellings, construction of new vehicular access. Alteration to existing dwelling including erection of garage and car port

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: 30/03/2007

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 1763sq 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:** This application represents a redesign of a scheme that was refused in November 2006.

Redevelopment to retain 2 existing dwellings and provide 8 new dwellings with a parking courtyard to their rear. The new houses comprise three pairs of houses facing Barlee Close and a further 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 to view at the Council Offices, or via the Council 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.

7.2 The proposals can be accommodated within Barlee Close without detriment to the character of the surrounding area.

7.3 The proposals can be accommodated without detriment to the amenity of neighbouring residential properties. The layout is designed to respect the character of the location and amenity of neighbouring properties and deliver a modest housing development.

7.4 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 an erection of a garage. APPROVED 03 November 2005.  
UTT/1481/06/FUL Erection of 8 houses etc. REFUSED by Committee 2 November 2006.

**CONSULTATIONS:** Essex County Council Highways: No objection subject to inclusion of details included in the previous application namely; The Highway Authority would not wish to raise an objection to this proposal 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

NOTE: The applicants should be advised to contact the Area Highway Manager, Warwick House, Roydon Road, Harlow to seek approval prior to any works taking place within the limits of the public highway.

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 condition 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.

Essex Police: No objection, the standards of Secure by Design should be attained.

**PARISH COUNCIL COMMENTS:** To be reported (due 7 March 2007).

**REPRESENTATIONS:** Three representations received. Notification period expired 26 February 2007. Objections are raised to;  
The plan is the same as the version already refused, to which objections were also made.

The scheme is an overdevelopment of the land and there are too many houses for such a small plot of land.

The 3D pictures give a misleading impression of the area.

Reference is made to the earlier refusal of the application for eight dwellings, and the same decision should be made. There will not be sufficient space for parking, and this will result on parking in the road which will block access to the shop.

**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);**
- 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. This submission represents an amendment to the version submitted as UTT/1481/06/FUL. The proposed number of 8 houses is unchanged and equates 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 been moved towards Stortford Road and would appear as a more intrusive feature in the streetscape than the earlier version; its private garden space is virtually all forward of the house which would lead to pressure to enclose it with high fencing. The houses in the main row have a street elevation, which does not succeed in meeting the aim of forming a coherent street scene. The ridge heights are tall and narrow front gables accentuate the height of the narrow house types on plots 5 and 6.



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 to overcome the overlooking situation that would be created, the front elevation has no first floor windows in it, giving the building a very odd appearance. Conversely a window is introduced overlooking the private rear gardens of adjacent houses in Stortford Road, detrimental to the amenity of the occupiers of these houses.

Compared to 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 housing 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 by virtue of creating overlooking of adjacent rear gardens, contrary to the aims of Policy GEN 2 of the Uttlesford Local Plan.

*Background papers: see application file.*

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## UTT/0113/07/FUL - GREAT CANFIELD

Demolition of existing indoor school and stabling. Replacement indoor school including four residential units

Location: Ashfields Polo Club. GR/TL 587-189.

Applicant: Mr T Chambers

Agent: Grafik Architects Ltd

Case Officer: Mr M Ranner 01799 510556

Expiry Date: 20/04/2007

Classification: MAJOR

**NOTATION:** Outside of development limits.

**DESCRIPTION OF SITE:** The application site comprises a large former agricultural building which occupies a foot print of approximately 1600 m<sup>2</sup>. The building is of simple breeze block construction with a number of pitched roofs clad in concrete sheeting. It currently provides accommodation for a number of horses, a forge and an indoor riding school. The site is set in open countryside accessed from Green Street via a long private road and forms part of a complex of buildings associated with the Ashfields Polo and Equestrian Centre. Open countryside lies to the east and west and a number of existing dwellings are located just to the north of the site.

**DESCRIPTION OF PROPOSAL:** The application proposes to demolish the existing building and replace it with a building, which will occupy a similar foot print to the existing. The design is characterised by a simple steel framed agricultural type building with shallow pitched roofs. Materials would be profile sheeting to the elevations broken by areas of brick work. The overall height of the building would remain the same as the existing at 7.2 metres to the ridge and 5.0 metres to the eaves. The design of the roof however would result in a building of reduced bulk and massing when compared with the existing building. In terms of accommodation the new building would provide a two storey attached dwelling for the residential yard manager, consisting of two bedrooms, living space, kitchen/bathroom and study/office extending to 80m<sup>2</sup> total floor area. Three ground floor 3 person flats are also proposed consisting of integral kitchen/bathroom facilities to provide accommodation for visitors, competitors, residential students or temporary staff. Each unit would extend to a floor area of 47m<sup>2</sup>. The indoor school would extend to 1270m<sup>2</sup> and provide an artificial surfaced arena for training, schooling, exercise and competition purposes. A first floor storage area amounting to 210m<sup>2</sup> is designed into the eastern side of the building and a small forge (30m<sup>2</sup>) is located on the north western corner of the building.

**APPLICANT'S CASE including Design & Access statement:** The statement covers context, amount, layout, scale, landscaping, appearance, access and accessibility. Parts of the statement are replicated as follows:

“Careful consideration has been given to the scale and form of the proposed building not just to minimise the visual impact on the location but also through the use of materials and detailing unify the building into the overall development. Firstly, the profile/skyline of the building has been visually reduced by spanning the frame in a North/South direction, presenting a gable to the open easterly aspect. The lower level of the east elevation (flats) and the two storey dwelling are to be constructed in a Red multi brick to match the main building and incorporate window patterns and brick detailing taken from that building to achieve unity.

As previously mentioned, the principle and details of the development of this facility overall was subject of application UTT/0358/04/FUL approved 20 December 2004. Part of that application involved a Transport Statement dated May 2004 prepared by intermodal Transportation. The subject of this application is purely a replacement of a facility that was originally to be retained / refurbished and therefore does not affect the results of the Transport Statement in any way in terms of access to the site generally."

**RELEVANT HISTORY:** The site was originally operated as an agricultural holding, although the move away from agriculture began during the early nineties with various permissions granted for change of use of some of the buildings for stabling and B1 (light industrial) and B8 (Storage and Distribution) purposes. In 1992 (UTT/1288/92/FUL) planning permission was granted for two polo fields, a practice field and the conversion of one of the farm buildings into a clubhouse. Subsequently further stabling was granted on the site and in 1998 (UTT/0085/98/FUL) planning permission was granted in retrospect for the change of use of land to a commercial equestrian centre, which involved stabling for 33 horses.

More recently planning permission was granted pursuant to application UTT/0618/02/FUL, for the temporary use of an agricultural building as a dwelling for two years and the conversion of part of the building subject to the current application to a permanent dwelling. More significantly, planning permission was granted in December 2004 pursuant to application UTT/0358/04/FUL, for the redevelopment of the site. This involved the construction of five new buildings to provide stables, office, tack room, feed store, replacement clubhouse, forge, carriage display building, alterations to the indoor riding school (existing building subject to the current application) to include carriage workshop and the provision of 4 flats. A detached dwelling and garage also formed part of the permission. Following this some relatively minor revisions were approved to this scheme (largely to fenestration) pursuant to application UTT/1224/05/FUL in September of 2005. The new buildings approved under these two schemes are now nearing completion on site.

More recently still, an application, which proposed the demolition of the indoor school and stabling and its replacement with a new indoor school to include five residential units (UTT/1756/06/FUL), was withdrawn by the applicants on 4<sup>th</sup> January 2007.

**CONSULTATIONS:** Building Surveying: has responded to internal consultation and has made a number of comments. In particular when responding to the original submission of drawings, they stipulate that all new dwellings should be constructed to lifetime homes standard.

Thames Water: raises no objections with regard to sewerage infrastructure.

The Environment Agency: offer advice concerning such matters as private treatment plant, septic tanks and surface water run off.

**PARISH COUNCIL COMMENTS:** No comments received. Notification period expired 21/02/2007.

**REPRESENTATIONS:** A single letter of support has been received from a local resident who states that ... "this proposal would finish off this fabulous transformation of what was a messy yard and now something to be proud of."

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

- 1) **The appropriateness of the development in the rural area and its affects on the character and appearance of the locality and the wider landscape (ERSP Policies C5, NR1 & LRT3 & ULP Policies S7, GEN2 & LC4) and**
- 2) **Other material planning considerations.**

1) The use of the site as a large commercial equestrian centre has in recent years become firmly established and this has been material to the consideration of recent planning applications, particularly when allowing an element of ancillary residential accommodation on the site. This application proposes to demolish the existing riding school building and replace it with a new facility as the applicants have recently been advised that the conversion of the existing building as approved by permission UTT/0358/04/FUL, would be very difficult to implement and unviable due to its rather basic means of construction. The proposed building would represent an improvement in visual terms to the converted building approved by the 2004 application. The design relates better to the new stable buildings located immediately to the south of the application site and as a consequence the proposal will result in a more comprehensive form of development that relates better as a whole. The building will occupy the same foot print as the existing and it's massing and bulk has been slightly reduced. This allied with a better choice of materials and finishes will ensure that the affects on the wider landscape will be positive. In these respects, even though there is a strict control on new building within the countryside, the principle of replacing the existing building with a new building of improved design, will not in the view of officers prejudice or contravene aforementioned Development Plan policies.

With regard to the provision of residential units, extant permissions already exist, which make provision for 4 two bedroom units within the existing building for the purpose of accommodating students, temporary staff and overseas visitors utilising the facilities on site (UTT/0358/04/FUL) and for a single two storey 3 bedroom dwelling (UTT/0618/02/FUL) also within the existing building subject to this application. This accommodation was considered justified taking into account its functional purpose in respect of the current use of the site. There have been no circumstantial changes since the approval of the respective applications and the level of residential accommodation proposed does not exceed that which has been approved and could be implemented. In this respect, the extant permissions are material to the consideration of this case and as a consequence, consistent with previous planning decisions, officers consider the residential element of the proposal to be acceptable.

2) Turning to residential amenity, a number of private dwellings are located to the north (rear) of the chosen siting of the building. Officers are satisfied however that the amenity of these properties will not be compromised as a result of the proposal, taking into account the use of the existing building as a riding school.

Officers are also satisfied that the replacement facility will not generate an increase in traffic movements as considered and approved by the Council when determining the 2004 application, which included a Transport Assessment for the site. The Highway Authority raised no objections to the previous scheme (UTT/1756/06/FUL), which differed from the application now at hand, only in respect that it proposed an additional residential unit (5) to that now proposed (4).

It is not anticipated that the proposed development will have any harmful impacts on ecology. The building is of modern construction, which is not generally recognised as providing suitable habitat for roosting bats or nesting Barn Owls. Suitable habitat does exist around the building for foraging bats and potentially amphibians in a nearby pond. A condition is therefore recommended in order to safeguard any protected species in the eventuality that any are located during construction.

With regard to Building Surveying advice concerning Lifetime Homes, the drawings have been amended to incorporate a number of changes, although a condition has been suggested to ensure that the units fully satisfy the Lifetime Homes criteria.

**CONCLUSIONS:** In light of the above considerations, officers are satisfied that the proposal is not prejudicial to relevant Development Plan Policies and so recommend that planning permission be granted subject to the following conditions.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. C.5.1. Samples of materials to be submitted agreed and implemented.
3. The residential accommodation hereby permitted shall only be occupied by persons either employed or staying at the site solely in connection with its commercial use as a polo and equestrian centre.  
REASON: For avoidance of doubt as to the scope of this permission and to avoid inappropriate development within the countryside.
4. C.7.1. Details of external ground and internal floor levels to be submitted agreed and implemented.
5. C.8.22. Control of lighting.
6. C.8.27. Drainage Details to be submitted agreed and implemented.
7. 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. 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 interest of promoting sustainable forms of development.
8. C.8.31. Demolition recycling of materials.
9. The development shall accord fully with the criteria listed for 'Lifetime Homes' in Supplementary Planning Document 'Accessible Homes and Play space', unless otherwise agreed in writing by the local planning authority. Detailed drawings depicting the necessary revisions to the scheme shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.  
REASON: To ensure that the development provides effective and practical lifetime homes.
10. C.20.3. If Protected Species discovered get licence from Natural England.

*Background papers: see application file.*

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## **UTT/0122/07/FUL - QUENDON & RICKLING**

***(Referred by Cllr Yarwood)***

*(Reason: The case is complex and the applicants would like to explain to the Committee the need for small dwellings in the area)*

Erection of 2 No. semi detached dwellings

Location: Land Adjoining Bradbury Hall Cambridge Road. GR/TL 512-301.

Applicant: Pelham Structures Ltd

Agent: Pelham Structures Ltd

Case Officer: Mrs K Hollitt 01799 510495

Expiry Date: 21/03/2007

Classification: MINOR

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

**DESCRIPTION OF SITE:** The application site is located in a backland location to the south of Rickling Green Road. It is accessed via a single track access which serves two bungalows together with a garage which belongs to Bradbury Hall. The site has a frontage of 11.2m and a depth of around 22m. The garage on the site has a frontage of 4.75m and a depth of 7.2m. No plans of the building to be demolished have been submitted and it is therefore not known how large the building is, although this does have a lower ridge height than the properties adjacent. It should be noted that should the building exceed 115m<sup>3</sup> Conservation Area consent would be required for its demolition. The site has a Leylandii hedge to the boundary with the new development known as Hallfield, a fence to the boundary with the village hall and a close boarded fence to the boundary with Pantiles. To one side of the access is a close boarded fence and along the other boundary is a hedge. To the front of the site there are two bungalows, one with a very shallow roof pitch. The bungalows adjacent to the application site are semi-detached and have a ridge height of 6.3m and an eaves height of 2.3m to the front elevation.

**DESCRIPTION OF PROPOSAL:** The proposal relates to the erection of a pair of semi-detached dwellings. These would have a frontage of 8.4m and a depth of 9.2m, an eaves height on the front elevation of 3.5m and a ridge height of 6m. It is proposed that the dwellings would have dormer windows to the front elevation. The rear elevation would have two gables, giving the perception of two storey dwellings. The main entrance to the dwellings would be on the side elevations. It is proposed to construct the dwellings with a brick plinth, render walls and plain roof tiles. One parking space per dwelling is indicated on the submitted plans, but revised plans have increased this to two spaces each.

**APPLICANT'S CASE including Design & Access statement:** Site lies within development limits and Policy H3 encourages new houses subject to development being compatible with character of settlement. Policy ENV1 states new development should preserve or enhance the character and appearance of conservation area. Development would be commensurate with overall high density of existing development in this part of Quendon and Rickling where development is in the main terrace and semi-detached dwellings. Site measures about 476 sqm and density would be 42dph. Demonstrates efficient use of brownfield site and would provide useful contribution to housing stock along M11 corridor where there is a particular need for small houses for first time buyers. Modest size of proposed building would ensure no overshadowing of adjacent properties and would not be overbearing. Ample space is available for garden access and rear door entrances for wheelchair users. Would not directly overlook neighbouring properties. Overall height and general scale of proposed dwelling would be subservient to its neighbours and surrounding buildings. General character is mixed with houses that fill their frontages and have small

gardens. Adjacent dwellings have 12m frontages and fill the width of their plots. Combined frontage of two proposed dwellings is 8.3m, which is 30% smaller than Pantiles and site coverage is 26%, which is same as Pantiles. Front elevation only visible from public highway and unscreened by existing buildings or vegetation. Been designed with no front gables and hence would have very little visual bulk. Overall size, bulk and scale would be in character with surrounding development and protect appearance of conservation area. Each dwelling would have approximately 41m<sup>2</sup> of amenity space. Proposal has been traditionally designed to integrate harmoniously with local vernacular. Proposed dwellings are oak framed, 1 ½ storeys high with traditional 47.5 degree pitched roofs. Narrow gables have made it possible to design low ridge heights and reduce overall visual mass and bulk of development. Lifetime Homes Standards have been incorporated into design. Application site currently provides garaging and parking to donor property where two cars are parked on daily basis. This proposal would not intensify vehicular access as there is only provision for 1 space per dwelling to park and manoeuvre in the site.

**RELEVANT HISTORY:** None specifically in relation to application site.

**CONSULTATIONS:** Highways & Transportation: No objection.

Thames Water: Located within Groundwater Protection Zone. Construction works and operation of development site should be in accordance with relevant British Standards and Best Management practices. [NB: *The pumping station is listed as being in Crescent Road, which appears to be in Bishop's Stortford. Therefore, this response is being investigated further. If the Groundwater Protection Zone designation is found to be relevant to this site there may be further issues to be discussed in relation to the proposals.*]

Building Surveying: Lifetime Homes Standard requires minimum of 900mm clear distance between stair wall and edge of opposite handrail balustrade. The design only achieves 850mm. Access road may need to be improved for fire service vehicles and turning facility provided or full domestic sprinkler system installed.

Natural England: No objection.

Environment Agency: No comment.

**PARISH COUNCIL COMMENTS:** Proposed development is wholly inappropriate for size of plot. Parking totally inadequate with impossible turning facilities, resulting in having to reverse out into Green Road on a blind corner. Any more than 2 vehicles would have to park in road on a dangerous corner. Access would intrude upon immediate adjacent residences, no fewer than 5. If approved would send the wrong message for all future planning applications.

**REPRESENTATIONS:** This application has been advertised and 6 representations have been received. Period expired 22 February 2007. Revised plans – period expires 12 March 2007.

Original Plans:

Object. My property access via the lane which also provides access to rear garages of two bungalows facing Green Road, Bradbury Hall and Pantiles. End of lane frequently gets congested with parked cars. To propose two further houses is ludicrous. Demolition and construction work will inevitably block access and cause noise and pollution. As disabled person I need vehicular access at all times.

Such development could be construed as overdevelopment within a conservation area. Question of access and egress would be of concern as it would involve use of Green Road which already has problems created by on street parking. Visitors to Bradbury Hall and this property would have to park on Green Road which they do not do at present.

Object. Overdevelopment of site. Not commensurate with density of area. Immediate area consists of 4 detached bungalows with good space/distance between each residence.

Pantiles, in particular, sits in middle of a good-sized plot with wide frontage and back garden. Squeezing of two dwellings into proposed space will not be consistent with surrounding area and it is not immediately obvious that it would be consistent with the wider Quendon environment. Room for car parking would be necessarily restricted due to tight space into which the new dwellings will be inserted. Note provision of 1 space per dwelling but believe it highly likely that any new owners will require more. Will lead to congestion. Note West Bradbury Hall has double gates to rear with, presumably, some right of vehicular access across space allocated for car parking for new dwellings. Congestion during construction process. Concerns about impact on drainage system.

Concerns: Overcrowding in conservation area. Green Road is a car park now. May be able to squeeze 4 small cars into space allocated, but in the tight manoeuvring involved can see Green Road being used. Already have problem with sewage – two more dwellings will only add to problem. Have two disabled residents who have right of way to this drive. Extra cars is going to be dangerous for these people.

Object. Density completely at odds with housing density in Quendon. Squeezing two dwellings into such a small space is out of keeping with immediate location and village as a whole. Proposed houses are on two storeys. Entirely inappropriate since they will be sharing small cul-de-sac with other properties which are all bungalows. Upstairs windows will have clear line of sight into our kitchen window. Allowance for 1 car space per property is inadequate. Quendon has poor public transport links so any couple is likely to rely on 2 cars. Green Road already congested with parked cars. Registered disabled and concerned about debris during construction process.

Object. Overdevelopment. Size of dwelling too large for site. Impact on conservation area. Concerned new dwellings do not overload surrounding infrastructure. Use of soakaway purely conjecture. Insufficient space for 4 cars. Drawing does not show 4 average sized cars and access for disabled people around these cars. We have legal vehicular access across parking spaces. Exercising this right diminishes space for parking. Owners of Bradbury Hall currently have to park 2 cars at an angle in the allocated parking area, generally over our right of way. Visitor parking causes congestion.

Revised Plans: To be reported.

**COMMENTS ON REPRESENTATIONS:** See below.

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

- 1) the scale and density of the proposals is appropriate for this conservation area location (ERSP Policies BE1, CS2, HC2 & ULP Policies S3, H3, H4 and ENV1);
- 2) the design of the proposals is appropriate for this conservation area location adjacent to listed buildings (ERSP Policies HC2, HC3 & ULP Policies ENV1, ENV2, GEN2);
- 3) the access and parking provision for the proposals is satisfactory and whether the proposals would raise any amenity issues (ULP Policies GEN1, GEN8, GEN2, GEN4) and
- 4) other material planning considerations (SPD: Accessible Homes).

1) The character of the area surrounding the application site is of a mix of detached, semi-detached and terraced properties. The terraced properties front onto Cambridge Road and therefore have a separate identity of their own. In addition, the new development on Hallfield is predominantly terraced, but this too has its own character and is visually separated from the site by an existing tall Leylandii hedge. Within the immediate vicinity of the site are detached bungalows to the highway and a pair of semi-detached bungalows adjacent to the site. Bradbury Hall and West Bradbury Hall, located to the north, form a listed building and these properties also front onto Cambridge Road, with rear accesses



served from the application site or the access road. These properties sit within large plots with gaps to the boundaries. The density of development to the front of the site is 28 dph, whilst the density of the proposed development would be 50 dph, when excluding the access track from the size of the development site. Whilst this would meet the density criteria set out in PPG3 and would result in the development of a brownfield site, it is considered that the proposals would be inappropriate. However, PPG3 has now been superseded by PPS3, published in November 2006. The revised guidance considers that densities should be developed having regard to, inter alia, the current and future levels of accessibility, particularly public transport accessibility; the characteristics of the area, including the current and proposed mix of uses. No density levels are stipulated in the new guidance, although it is considered that 30 dwellings per hectare should be used as a national indicative minimum. Given the characteristics of the site and its limited accessibility to public transport, it is considered that a density of 50 dph would represent overdevelopment of this site. Furthermore, it is considered that this level of development would result in development having a detrimental impact on the character and setting of the conservation area. The development would appear cramped within the site and would appear out of context with surrounding development. The proposals fail to satisfy the criteria set out in the Essex Design Guide in relation to amenity space, and this increases the view that the proposals represent overdevelopment of the site. This would be contrary to the development plan policies.

2) The design of the proposal is considered to be inappropriate. Whilst the proposed dwellings would not have ridge heights higher than the adjoining properties, the perception of scale for this development would have a detrimental impact on the character of the conservation area due to the high eaves level and dormer windows to the front elevation. This would appear out of character in this backland location, particularly as the site is clearly visible from the public highway. The scale of the development would appear dominant in this backland location and have a detrimental impact on the character and setting of the conservation area. This would be contrary to policy.

3) The original plans indicated 1 parking space per dwelling. Revised plans were subsequently submitted increasing the provision to 2 parking spaces per dwelling. However, whilst this would satisfy the policy requirements, it is considered that the proposed parking would not be adequate to serve the needs of the occupiers of the properties and would have a detrimental impact on the amenity of adjoining properties. The proposed parking area does not have sufficient space to enable vehicles to enter and leave the site in a forward gear. In addition, there is insufficient space within the site to enable vehicles to utilise all the parking spaces at the same time without encroaching onto land used by or owned by other parties. This would result in vehicles having to shunt about within the site which would have a detrimental impact on the amenity of occupiers of adjacent properties. The parking spaces to the rear of Bradbury Hall would be only 3m from the rear elevation. The use of these spaces would have a detrimental impact on the occupiers of this property, and depending on the boundary treatment, could have increased loss of amenity due to headlight glare. Bradbury Hall is a listed building and it is not considered that a close boarded fence would be appropriate boundary treatment within this location.

4) The revised plans indicate that the proposed parking spaces would measure 2.4m by 4.8m, the minimum size required as set out in the Vehicle Parking Standards published by the Essex Planning Officers Association. However, in order for the proposals to satisfy the requirements of the SPD in relation to Accessible Homes, at least one parking space per dwelling shall be 3.3m wide. It is not possible, within the confines of the site, to provide such a size space. In addition, this would reduce the amount of space available for turning or accessing the parking spaces within the development. In addition, concerns have been raised regarding the insufficient space between the stair wall and the opposite handrail balustrade. This scales up to 850mm on the plans and should be a minimum of 900mm.

The agent has indicated that this minimum requirement would be met, but it has not been shown on the submitted plans. Therefore, it is considered that the proposals do not satisfy all the requirements in respect of the SPD.

**CONCLUSIONS:** The proposals are considered to be contrary to policy as they would represent overdevelopment of the site, have a detrimental impact on the character of the conservation area and the parking provision is inadequate to serve the properties without loss of amenity to adjacent properties. In addition, the proposals do not adequately comply with the SPD requirements for accessible homes.

**RECOMMENDATION: REFUSAL REASONS**

1. The proposals, by virtue of their density and their scale due to their design, would represent overdevelopment of the site. The proposals do not respect the character of the settlement and would not safeguard or enhance the character of the area. The design of the proposals would increase the visual dominance of the proposals and would appear out of character within the conservation area. The perception of overdevelopment is emphasised by the limited amenity areas for the dwellings. The proposals would be contrary to the provisions of ERSP Policies CS2, BE1 and HC2, ULP Policies S3, H3, GEN2 and ENV1.
2. The proposals would result in additional vehicular movements in this backland location, having an impact on the properties to the highway frontage. In addition, the size of the parking spaces and available manoeuvring area would result in vehicles shunting around within the site trying to access or leave the parking spaces. This would result in noise and fumes which would have a detrimental impact on the residential amenity of adjoining properties. In addition, the parking spaces, close to the rear boundary of Bradbury Hall are likely to result in a loss of amenity through headlight glare. This would be contrary to the provisions of ULP Policy GEN4.
3. The proposals fail to satisfy all of the "Lifetime Homes" criteria as set out in the adopted Supplementary Planning Document: Accessible Homes, adopted November 2005. There is insufficient space within the site to enable the provision of the required size of parking space and the plans do not indicate sufficient space internally between the stair wall and the edge of the balustrade to enable the future installation of a stairlift.

*Background papers: see application file.*

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**UTT/0047/07/LB - CHRISHALL**  
***(Council employee application)***

Removal of tiled fire surrounds and re-instate inglenook fire places.

Location: Home Farm 57 High Street. GR/TL 445-390.

Applicant: Mr D Austin

Agent: Mr D Austin

Case Officer: Consultant North 2 telephone 01799 510478/605

Expiry Date: 09/03/2007

Classification: OTHER

**NOTATION:** Listed Building.

**DESCRIPTION OF SITE:** The application building comprises a substantial detached dwelling located within the defined village envelope. It is in a well landscaped and mature setting.

**DESCRIPTION OF PROPOSAL:** The application seeks listed building consent to open up an existing fireplace to return it to its likely original condition – comprising a more open and larger fireplace.

**APPLICANT'S CASE including Design & Access statement:** Statement dated 11 January 2007 with application; see also application forms.

**CONSULTATIONS:** Conservation Officer: No objection subject to conditions.

**PARISH COUNCIL COMMENTS:** To be reported.

**REPRESENTATIONS:** This application has been advertised and no representations have been received. Notification period expired 16 February 2007.

**PLANNING CONSIDERATIONS:** **The only issue is the impact on the listed building (ERSP Policy HC3 & ULP Policy ENV2).**

The sole consideration is the impact on the character and appearance of this attractive listed building.

These works would only affect the internal part of the building. It is considered that, having had regard to the age of the property, the removal of the more modern fireplace would assist in restoring an historic feature of the building. In these circumstances, the work is considered acceptable subject to the application of a number of conditions.

**CONCLUSIONS:** In summary, the work proposed would not harm the character and appearance of this listed building. A number of conditions are proposed.

**RECOMMENDATION: LISTED BUILDING CONSENT WITH CONDITIONS**

1. C.2.2. Time limit for commencement of development
2. C.3.1. In accordance with plans.
3. No elements of the historical timber frame of the dwelling are to be removed or cut without the prior inspection and written consent of the local planning authority.
4. All resulting repairs shall be carried out utilising exactly matching materials and traditional methods.

5. The existing timber bressumer shall be permanently retained in its exact location.  
REASON 3-5: To preserve the historic integrity and character of this listed building.

*Background papers: see application file.*

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